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Fifty-second session
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EFFECTIVE FUNCTIONING OF BODIES ESTABLISHED PURSUANT TO UNITED NATIONS HUMAN RIGHTS INSTRUMENTS

Inventory of all international human rights standard-setting activities

Report of the High Commissioner for Human Rights prepared in accordance with Commission on Human Rights resolution 1995/92

GE.96-10180 (E)

Introduction

1. In its resolution 1995/92, entitled "Effective implementation of international instruments on human rights, including reporting obligations under international instruments on human rights", the Commission on Human Rights requested the High Commissioner for Human Rights, acting within his mandate set out in General Assembly resolution 48/141, to maintain an inventory of all international human rights standard-setting activities, in order to facilitate better informed decision-making.

2. One of the most important contributions of the United Nations to the protection of human rights is in the setting of international standards. In this connection, the World Conference on Human Rights recognized the need to maintain consistency with the high quality of existing international standards and to avoid proliferation of human rights instruments, reaffirmed the guidelines relating to the elaboration of new international instruments set by the General Assembly (resolution 41/120 of 4 December 1986) and called on the United Nations human rights bodies, when considering the elaboration of new international standards, to keep those guidelines in mind, to consult with human rights treaty bodies on the necessity for drafting new standards and to request the Secretariat to carry out technical reviews of proposed new instruments.

3. The present report has been prepared in accordance with the above request. It consists of three parts: ongoing standard-setting activities by the Commission on Human Rights; standard-setting activities proposed by the Commission on Human Rights; standard-setting activities proposed or conducted by the Sub-Commission on Prevention of Discrimination and Protection of Minorities. The High Commissioner for Human Rights refers to the inventory of all international human rights standard-setting activities as presented in the report of the Secretary-General prepared in accordance with Commission on Human Rights resolution 1994/19 (E/CN.4/1995/81), the format of which is pursued in this report.

I. STANDARD-SETTING ACTIVITIES ALREADY EMBARKED UPON BY THE COMMISSION ON HUMAN RIGHTS

Declaration on the rights and responsibility of individuals, groups and organs of society to promote and protect universally recognized human rights and fundamental freedoms

4. By decision 1984/116 of 16 March 1984, the Commission on Human Rights decided to establish an open-ended working group to draft a declaration on the right and responsibility of individuals, groups and organs of society to promote and protect universally recognized human rights and fundamental freedoms. This decision was approved by the Economic and Social Council in its decision 1985/152 of 30 May 1985. So far the Working Group has held 10 sessions. At its most recent session in 1995, the report of which can be found in document E/CN.4/1995/93, the Working Group continued the second reading of the draft declaration.

Optional protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment

5. By decision 1992/43 of 3 March 1992, the Commission on Human Rights decided to establish an open-ended inter-sessional working group of the Commission on Human Rights in order to elaborate a draft optional protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, using as a basis for its discussion the draft text proposed by the Government of Costa Rica (see E/CN.4/1994/66) and to consider the implications of its adoption and the relationship between the draft optional protocol, regional instruments and the Committee against Torture. This decision was approved by the Economic and Social Council in its resolution 1992/6 of 20 July 1992. During its fourth session, in 1995, report of which can be found in document E/CN.4/1996/28, the Working Group completed the first reading of the draft optional protocol.

Optional protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography as well as the basic measures needed for their prevention and eradication

6. By its resolution 1994/90 of 9 March 1994, the Commission on Human Rights decided to establish an open-ended inter-sessional working group of the Commission on Human Rights responsible for elaborating, as a matter of priority and in close cooperation with the Special Rapporteur and the Committee on the Rights of the Child, guidelines for a possible draft optional protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography, as well as the basic measures needed for their prevention and eradication. By resolution 1994/9 of 22 July 1994, the Economic and Social Council approved this decision. The report of the most recent session of the working group can be found in document E/CN.4/1996/101.

Optional protocol to the Convention on the Rights of the Child on involvement of children in armed conflicts

7. By its resolution 1994/91 of 9 March 1994, the Commission on Human Rights decided to establish an open-ended inter-sessional Working Group of the Commission on Human Rights to elaborate, as a matter of priority, a draft optional protocol to the Convention on the Rights of the Child using as one basis for its discussions the preliminary draft optional protocol submitted by the Committee on the Rights of the Child (E/CN.4/1994/91, annex). This decision was approved by the Economic and Social Council in its decision 1994/10 of 22 July 1994. The report of the most recent session of the working group can be found in document E/CN.4/1996/102.

Draft declaration on indigenous people

8. By resolution 1995/32 of 3 March 1995 the Commission on Human Rights decided to establish an open-ended inter-sessional Working Group of the Commission on Human Rights with the sole purpose of elaborating a draft declaration, considering the draft contained in the annex to resolution 1994/45 of 26 August 1994 of the Sub-Commission on Prevention of Discrimination and Protection of Minorities, entitled draft "United Nations

declaration on the rights of indigenous peoples" for consideration and adoption by the General Assembly within the International Decade of the World's Indigenous People. This decision was endorsed by the Economic and Social Council in its resolution 1995/32 of 25 July 1995.

9. The Working Group held its first session from 20 November-1 December 1995, the report of which can be found in document E/CN.4/1996/84.

II. STANDARD-SETTING ACTIVITIES PROPOSED BY THE COMMISSION ON HUMAN RIGHTS

Optional protocol to the International Covenant on Economic, Social and Cultural Rights granting the right of individuals or groups to submit communications concerning non-compliance with the Covenant

10. By its resolution 1995/15 of 24 February 1995, the Commission on Human Rights invited the Committee on Economic, Social and Cultural Rights to report to the Commission on Human Rights at its fifty-second session on the steps taken for the drafting of an optional protocol to the International Covenant on Economic, Social and Cultural Rights granting the right of individuals or groups to submit communications concerning non-compliance with the Covenant.

Basic principles and guidelines on the right to restitution, compensation and rehabilitation for victims of gross violations of human rights and fundamental freedoms

11. By its resolution 1995/34 of 3 March 1995, the Commission on Human Rights encouraged the Sub-Commission to continue to give consideration to the proposed basic principles and guidelines proposed by the Special Rapporteur on the right to restitution, compensation and rehabilitation for victims of gross violations of human rights and fundamental freedoms with a view to making substantive progress on this matter in the specific field of violations of human rights. By the same resolution, the Commission requested the Secretary-General to submit a report on this subject to the Commission at its fifty-second session (E/CN.4/1996/29).

Declaration of Minimum Humanitarian Standards

12. By its resolution 1995/29 of 3 March 1995, the Commission on Human Rights, having taken note of resolution 1994/26 of 26 August 1994 of the Sub-Commission in which the Sub-Commission decided to transmit the text of the Declaration of Minimum Humanitarian Standards (E/CN.4/Sub.2/1991/55), adopted by a group of experts at a meeting in Turku (Abo), Finland, in December 1990, to the Commission with a view to its further elaboration and eventual adoption, requested the Secretary-General to transmit the text of the Declaration to Governments and intergovernmental and non-governmental organizations for their comments and to submit a report on the matter to the Commission at its fifty-second session (E/CN.4/1996/80).

Internally displaced persons

13. By its resolution 1995/57 of 3 March 1995, the Commission on Human Rights encouraged the representative of the Secretary-General on internally displaced persons to continue his review of the need for protection of and assistance to internally displaced persons, including, inter alia, his compilation and analysis of existing rules and norms. By the same resolution, the Commission requested the representative to continue to submit annual reports to the Commission and the General Assembly.

Protection of the heritage of indigenous people

14. In its decision 1995/108 of 3 March 1995, the Commission on Human Rights decided to endorse the request to the Special Rapporteur to prepare her final report on the basis, inter alia, of the information received and to submit it to the Sub-Commission at its forty-seventh session.

Third optional protocol to the International Covenant on Civil and Political Rights on the right to a fair trial and a remedy

15. In its decision 1995/110 of 3 March 1995, the Commission on Human Rights decided to consider, at its fifty-second session the establishment of an open-ended working group to draft a third optional protocol to the International Covenant on Civil and Political Rights aiming at guaranteeing under all circumstances the right to a fair trial and a remedy.

III. STANDARD-SETTING ACTIVITIES PROPOSED OR CONDUCTED BY THE SUB-COMMISSION ON THE PREVENTION OF DISCRIMINATION AND PROTECTION OF MINORITIES

Draft principles and guidelines for the protection of the heritage of indigenous people

16. By its resolution 1993/44 of 26 August 1993, the Sub-Commission on Prevention of Discrimination and Protection of Minorities endorsed the study of the protection of the cultural and intellectual property of indigenous peoples prepared by the Special Rapporteur Mrs. Erica-Irene Daes (E/CN.4/Sub.2/1993/28), and requested that she expand her study with a view to elaborating draft principles and guidelines for the protection of indigenous peoples' heritage. A final report containing draft principles and guidelines was transmitted to the Sub-Commission at its forty-seventh session (E/CN.4/Sub.2/1995/26).

17. By its resolution 1995/40, the Sub-Commission requested the Special Rapporteur to prepare a supplementary report and to submit it to the Sub-Commission at its forty-eighth session.

Basic principles and guidelines on the right to restitution, compensation and rehabilitation for victims of gross violations of human rights and fundamental freedoms

18. By its decision 1995/103 of 1 August 1995, the Sub-Commission decided to establish a sessional working group on the administration of justice and the

question of compensation. The working group, inter alia, discussed the principles and guidelines proposed by the Special Rapporteur (E/CN.4/Sub.2/1993/8) and issued a report (E/CN.4/Sub.2/1995/16 and Corr.1).

19. By its decision 1995/117 of 24 August 1995, the Sub-Commission decided to request the working group to continue the consideration of the basic principles and guidelines proposed by the Special Rapporteur, Mr. van Boven, and to request him to propose a revised set of basic principles and guidelines, in time for the Sub-Commission's consideration at its forty-eighth session.

Draft international convention on housing rights

20. In its resolution 1994/38 of 26 August 1994, the Sub-Commission took note with interest of the draft international convention on housing rights contained in the second progress report of the Special Rapporteur on the right to adequate housing (E/CN.4/Sub.2/1994/20). By its resolution 1995/27, the Sub-Commission requested the Secretary-General to solicit from States, United Nations bodies, and non-governmental and community-based organizations comments on the draft international convention on housing rights and to submit to the Sub-Commission at its forty-eighth session a compilation and analytical commentary on the comments received.

Guidelines on international events and forced evictions

21. By its resolution 1995/29 of 24 August 1995, the Sub-Commission took note of the report of the Secretary-General on guidelines on international events and forced evictions (E/CN.4/Sub.2/1995/13) and requested him to submit an updated report to the Sub-Commission at its forty-eighth session and to convene an expert seminar on the practice of forced eviction and its relationship to internationally recognized human rights.

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RIGHTS OF PERSONS BELONGING TO NATIONAL OR ETHNIC, RELIGIOUS AND LINGUISTIC MINORITIES

Report of the Secretary-General

CONTENTS

	Paragraphs	Page
INTRODUCTION	1 - 7	3
I. PROMOTION AND PROTECTION BY STATES OF THE PRINCIPLES CONTAINED IN THE DECLARATION ON THE RIGHTS OF PERSONS BELONGING TO NATIONAL OR ETHNIC, RELIGIOUS AND LINGUISTIC MINORITIES	8 - 11	4
II. ACTIVITIES OF THE RELEVANT ORGANS AND BODIES OF THE UNITED NATIONS GIVING DUE REGARD TO THE DECLARATION WITHIN THEIR MANDATES	12 - 26	5
A. Sub-Commission on Prevention of Discrimination and Protection of Minorities	12 - 15	5
B. Centre for Human Rights	16 - 25	6
C. United Nations High Commissioner for Refugees .	26	8

GE.96-10407 (E)

CONTENTS (continued)

	Paragraphs	Page
III. TREATY BODIES	27 - 32	9
A. Human Rights Committee	28	9
B. Committee on the Elimination of Racial Discrimination	29 - 31	9
C. Committee on the Rights of the Child	32	10
IV. SPECIAL RAPPORTEURS, SPECIAL REPRESENTATIVES AND WORKING GROUPS	33 - 63	10
A. Special Rapporteur on the question of torture	34 - 37	10
B. Representative of the Secretary-General on internally displaced persons	38 - 39	11
C. Special Rapporteurs on the situation of human rights in:	40 - 60	12
Burundi	40	12
Equatorial Guinea	41	12
Islamic Republic of Iran	42 - 44	12
Myanmar	45 - 48	13
Rwanda	49 - 50	14
Sudan	51 - 54	15
the former Yugoslavia	55 - 60	15
D. Working Group on Enforced and Involuntary Disappearances	61 - 63	16
V. INTERGOVERNMENTAL ORGANIZATIONS	64 - 70	16
Council of Europe	64 - 70	16
VII. NON-GOVERNMENTAL ORGANIZATIONS	71 - 75	18
Minority Rights Group	71 - 75	18
VIII. CONCLUSIONS	76 - 83	19

INTRODUCTION

1. The Commission on Human Rights, in its resolution 1995/24 of 3 March 1995, urged States and the international community to promote and protect the rights of persons belonging to national or ethnic, religious and linguistic minorities as set out in the Declaration on the Rights of Persons belonging to National or Ethnic, Religious and Linguistic Minorities; called upon the Secretary-General to make available, at the request of Governments concerned, as part of the programme of advisory services and technical assistance of the Centre for Human Rights, qualified expertise on minority issues including the prevention and resolution of disputes to assist in existing or potential situations involving minorities; urged the relevant treaty bodies and special representatives, special rapporteurs and working groups of the Commission on Human Rights to continue to give due regard, within their respective mandates, to the Declaration; called upon the Sub-Commission on Prevention of Discrimination and Protection of Minorities to examine, as a matter of priority, ways and means to promote and protect effectively the rights of persons belonging to national or ethnic, religious and linguistic minorities as set out in the Declaration; and, requested the Secretary-General to submit to the Commission on Human Rights at its fifty-second session a report on the implementation of the resolution.

2. The present report is submitted pursuant to this request and is complementary to the report of the Secretary-General submitted to the General Assembly at its fiftieth session (A/50/514), which is being made available to the Commission at its present session.

3. Pursuant to resolution 1995/24, the Secretary-General, by a communication dated 5 April 1995, invited States, interested intergovernmental and non-governmental organizations, special representatives, special rapporteurs and relevant working groups of the Commission on Human Rights and the Sub-Commission on Prevention of Discrimination and Protection of Minorities to submit contributions to the Centre for Human Rights as to how they promoted and gave effect to the Declaration.

4. The replies received from the Governments of Argentina, Cyprus, the Czech Republic, Maldives, Mauritius, Morocco, the Russian Federation, Saint Lucia, Saudi Arabia, Spain and Ukraine are summarized in document A/50/514. As of 8 December 1995, replies had been received from a further six Governments, namely Angola, Belarus, the Niger, Switzerland, the United Kingdom of Great Britain and Northern Ireland and the United States of America (see paras. 8-10 below).

5. A reply was received from the Office of the United Nations High Commissioner for Refugees.

6. Information was also provided by the following human rights organs and bodies which had been requested in the above resolution to continue to give due regard, within their respective mandates, to the Declaration: the Human Rights Committee, the Committee on the Elimination of Racial Discrimination, the Committee on the Rights of the Child, the Special Representatives on internally displaced persons, and on the situation of human rights in the Islamic Republic of Iran; the Special Rapporteurs on the question of torture;

the situation of human rights in Burundi; Equatorial Guinea; Myanmar; Rwanda; the Sudan and the territory of the former Yugoslavia. Information was also provided by the Working Group on Enforced and Involuntary Disappearances.

7. The Council of Europe sent a document updating the information concerning the relevant activities in this field, and a reply was received from one non-governmental organization, the Minority Rights Group.

I. PROMOTION AND PROTECTION BY STATES OF THE PRINCIPLES CONTAINED IN THE DECLARATION ON THE RIGHTS OF PERSONS BELONGING TO NATIONAL OR ETHNIC, RELIGIOUS AND LINGUISTIC MINORITIES

8. The information provided by the Governments of Angola, Belarus, the Niger, Switzerland, the United Kingdom of Great Britain and Northern Ireland and the United States of America is summarized below. The majority of replies focused on the respective constitutional and legislative provisions protecting the rights of persons belonging to minorities whereas that of the United Kingdom of Great Britain and Northern Ireland contained substantive information on specific measures, illustrative of action taken in the field of minority protection.

9. Reference to constitutional and legislative provisions guaranteeing the protection of the existence and identity of minorities and the principle of non-discrimination on religious, cultural and linguistic grounds, was made by the Governments of Angola, Belarus, the Niger, Switzerland and the United States of America. In addition, the Government of Belarus stated that anyone who publicly insulted or defamed the national or any other language or created any obstacle to or restriction upon its use, or who preached enmity on linguistic grounds would be criminally liable, and the Government of the United States of America mentioned that language projects had been introduced bringing younger and older native Americans together, to train native speakers to teach others, and to produce television and radio programmes in native American languages. In respect of commitments under international treaties and agreements, the Government of Switzerland in its response mentioned that Switzerland had ratified the Convention on the Elimination of All Forms of Racial Discrimination and that the identity and characteristics of particular groups were being integrated into society.

10. As for specific measures taken, the Government of the United Kingdom of Great Britain and Northern Ireland stated that radio or television broadcasts were provided in minority languages, and a number of channels had already been set up serving Turkish, Greek, Asian, Afro-Caribbean and Arabic communities; an ethnic health unit had been set up to meet the health needs of people from ethnic minority groups, and grants were available to help members of ethnic minorities to gain employment, to take up vocational training, or to set up their own business. The Government of the Niger stated that the Arab, Gourmantché and Toubous minority groups were represented at the level of the National Assembly in the Niger and special electoral circumscriptions had been set up to represent those minorities.

11. With reference to other measures to promote and protect the rights of persons belonging to minorities, the Government of the United Kingdom of

Great Britain and Northern Ireland continued to take steps to ensure that members of ethnic minority communities had access to employment and business opportunities on an equal footing and had provided guidance to local authorities concerning housing of ethnic minorities. The Government had also taken action to improve the response of the education service to ethnic diversity and had increased the number of teachers from ethnic minorities. In addition, the National Curriculum Council had issued a curriculum guidance publication on education for citizenship which addressed such concepts as the law, society and respect for other individuals and groups. The Government of Switzerland stated that a federal commission against racism had been established to launch awareness-raising campaigns in the area of tolerance and mutual understanding, to propose legislative measures in that area and to advise the Government in respect of its treaty reporting obligations under the Convention on the Elimination of All Forms of Racial Discrimination. That commission had also been entrusted with the task of making legal services available to victims of racial discrimination.

II. ACTIVITIES OF THE RELEVANT ORGANS AND BODIES OF THE UNITED NATIONS GIVING DUE REGARD TO THE DECLARATION WITHIN THEIR MANDATES

A. Sub-Commission on Prevention of Discrimination and Protection of Minorities

12. In its resolution 1995/24 the Commission and confirmed by resolution 1995/31 of the Economic and Social Council, authorized the Sub-Commission to establish an inter-sessional working group to review the promotion and practical realization of the Declaration; examine possible solutions to problems involving minorities; and recommend further measures for the promotion and protection of the rights of persons belonging to national or ethnic, religious and linguistic minorities. That decision was approved by the Economic and Social Council in its resolution 1995/31.

13. The first session of the working group was held at the United Nations Office in Geneva from 28 August to 1 September 1995. In his opening speech, the High Commissioner for Human Rights stressed that his task in the field of the promotion and protection of the rights of persons belonging to minorities and that of the working group were closely intertwined and that mutual support was crucial in paving the way for greater understanding and tolerance among communities and nations. He called upon the working group to suggest concrete, constructive and peaceful solutions to minority situations and extended his cooperation and that of the Centre in support of the activities of the working group and the implementation of its recommendations.

14. An introductory statement was made by the Chairman-Rapporteur, Mr. Asbjørn Eide, followed by an exchange of information and views on the three items of the mandate of the working group. Other matters discussed were the various elements of a working definition and possible categorization of minorities, and the elaboration of the agenda for the second session. The report of the working group is contained in document E/CN.4/Sub.2/1996/2.

15. The Sub-Commission, at its forty-seventh session, discussed the protection and promotion of the rights of persons belonging to minorities under its agenda item 17. Of particular relevance were the following documents which the Sub-Commission had before it:

Replies received from the Minority Rights Group - Finland (E/CN.4/Sub.2/1995/33/Add.1) and the Government of the United Kingdom of Great Britain and Northern Ireland (E/CN.4/Sub.2/1995/33/Add.2) pursuant to paragraph 2 of resolution 1994/4 of the Sub-Commission requesting comments on the recommendations contained in addendum 4 to the final report presented by the Special Rapporteur, Mr. Asbjørn Eide on possible ways and means of facilitating the peaceful and constructive solution of problems involving minorities (E/CN.4/Sub.2/1993/34/Add.1-4).

A working paper on enclaved groups (E/CN.4/Sub.2/1995/34) prepared by Mr. Eide pursuant to decision 1994/113 of the Sub-Commission. The paper addresses the definition of "enclaved groups" on the basis of human rights law, including that of minority protection.

Three notes verbales: from the Russian Federation on the situation of ethnic Russians in Latvia and Estonia with special regard to the issue of citizenship (E/CN.4/Sub.2/1995/44); from the Federal Republic of Yugoslavia on the status of the members of the Yugoslav national minorities in Albania (E/CN.4/Sub.2/1995/40); and the responses thereto of the Government of the Republic of Albania (E/CN.4/Sub.2/1995/46).

Written statements by: Human Rights Watch on the human rights abuses in the Niger Delta in south-eastern Nigeria, perpetrated in particular against the Movement for the Survival of Ogoni People; the World Federation of Democratic Youth on racial hatred and violence in the United States; the Advisory Board of Jewish Organizations on the need to identify and address the psychological and philosophical sources of racism and anti-semitism; and the International Human Rights Association of American Minorities on discriminatory policies against African-Americans in the United States, the persecution of the Dalits by Hindu society in India and the situation of Haitian workers in the Dominican Republic; and Pax Romana on the political, cultural and linguistic rights of persons belonging to minorities.

A report prepared by the Special Rapporteur, Leandro Despouy, on the question of human rights and states of emergency, in accordance with resolution 1994/36 of the Sub-Commission including the issue of derogable and non-derogable rights of persons belonging to national, ethnic, racial or religious groups (E/CN.4/Sub.2/1995/20, paras. 41-46).

B. Centre for Human Rights

16. Pursuant to General Assembly resolution 49/178, the Sixth Meeting of persons chairing the treaty bodies was convened from 18 to 22 September 1995 at the United Nations Office in Geneva. The Chairpersons discussed, inter alia, the implementation of their respective treaties by States parties and the provision of advisory services; and requested each

treaty body to inquire whether instruments had been translated and disseminated in local languages. The report is contained in document A/50/505.

17. A representative of the Centre for Human Rights was invited to two conferences on issues involving minorities. The first was convened in Vienna from 15 to 17 September 1995 jointly by the Federal Chancellery and the Federal Ministry for Foreign Affairs of Austria with the cooperation of the Council of Europe. Issues discussed of relevance to minorities included: group accommodation, the role of the Council of Europe in the field of the protection of national minorities, traditional groups and migration, integration versus assimilation, and European migration and ethnic minorities. The representative of the Centre for Human Rights drew the attention of the participants to the action of the United Nations organs and bodies in this field.

18. The second conference, on federalism and ethnicity was held in Basel, Switzerland, from 27 to 29 September 1995 as part of the official programme of the Swiss Federal Council on the occasion of the celebration of the fiftieth anniversary of the United Nations. Participants discussed general and theoretical problems of minority conflict resolution and agreed that federalism could and should provide a solution to many of the ongoing conflicts involving minorities. To that end, the Charter of Basel on Federalistic Solutions to Conflicts was elaborated, which is to be submitted to the United Nations within the framework of the Secretary-General's Agenda for Peace. The Charter of Basel addresses, inter alia, the issues of the realization of minority rights and the mechanisms within a federative peace structure for the prevention and resolution of conflicts involving minorities, and calls upon the United Nations to give due consideration to this Charter in all its peacekeeping activities, especially in crisis-prevention and peace-building, and sets forth the advantages of federalistic conflict control.

19. In accordance with paragraph 4 of Commission resolution 1995/24 the Centre has continued to provide, as part of its programme of advisory services and technical assistance, qualified expertise on minority issues including the prevention of disputes to assist in existing or potential situations involving minorities. In addition, the programme was called upon to provide expert assistance in the area of conflict resolution with regard to minorities (see Commission resolution 1993/24).

20. Although there exists no specific component on the rights of persons belonging to minorities, all programme elements give particular attention to advancing the position of minorities, both through the inclusion of this issue in the substantive content of the projects, and through the encouragement of the participation of minorities in the programme itself, including during the needs assessment missions and programme evaluations.

21. In Burundi, a media campaign was launched during 1995 to encourage tolerance and mutual understanding among groups and communities through radio and television programmes, and the production of audio-visual material and posters. This campaign included the organization of workshops for youth on the theme of tolerance and for the media on the offences related to the

profession of journalists, and the broadcast of a radio and television programme once a week aimed at the promotion of tolerance.

22. In Cambodia, the programme provided legislative assistance addressing also the concerns and problems of minority groups in respect of the immigration and nationality laws. These activities focus in particular on the situation involving the Vietnamese minority in Cambodia.

23. In Mongolia, a workshop was organized with the judiciary in Ulanbataar in February 1995 which included a session on the rights of minority groups in the administration of justice.

24. In Georgia, assistance was provided in drafting the Minority Rights Bill, based on the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities, of which the following elements are particularly relevant: the right to equate oneself with a nationality is an integral part of basic human rights and freedoms. Declaring one's membership of a national minority is a voluntary act, and no consequences shall attend omission to make such a choice (art. 2); persons belonging to minorities shall be entitled to express their distinctiveness and to protection by the State from any attempt at forcible assimilation (art. 3); minorities are entitled to use their native language not only in private but also in public, political and religious life and in State administrative and judicial institutions (art. 5); the State takes the responsibility to facilitate the training of the national personnel from minorities, primarily teachers of native languages and literature (art. 8); persons belonging to minorities shall be entitled to establish and maintain contacts with each other throughout the Republic of Georgia and in other States too (art. 12); the right of representative bodies of the minorities to put forward candidates for election to the Parliament of the Republic of Georgia and they will be provided with the possibility to speak their native languages shall be recognized (art. 13); and the State organs of power are prohibited from breaching the Act in the event of a state of emergency (art. 21).

25. In respect of the establishment and strengthening of national institutions, an international workshop was held from 18 to 21 April 1995, in Manila on, inter alia, the role of national institutions in countering discrimination against particularly vulnerable groups, including ethnic minorities. The report of the workshop is contained in document E/CN.4/1996/8. On the same subject, the Centre published a fourth handbook in the Professional Training Series which provides guidelines on how national institutions can be created and operated (National Human Rights Institutions, Professional Training Series No. 4, Centre for Human Rights, United Nations).

C. United Nations High Commissioner for Refugees

26. The issues pertaining to the rights of persons belonging to minorities is of direct concern to the Office of the United Nations High Commissioner for Refugees (UNHCR), as the need to promote the rights of those who, as in the case of minority groups, may feel compelled to flee their country of origin if their rights are violated, is an integral part of the preventive strategy of UNHCR. UNHCR expressed its willingness to cooperate with the working group on minorities and with the other human rights mechanisms of the United Nations

and to share information on its promotional activities, and its involvement in inter-agency consultations on "early warning", education, training and public awareness campaigns. To this end, UNHCR has in particular called on the working group on minorities to pay attention to the issue of displacement of minority groups - whether imminent or ongoing - whether in the form of population transfer, refugee flows, international displacements or forced relocation policies, and reiterated its assistance and support in this matter.

III. TREATY BODIES

27. During the discussion of State reports submitted to the various treaty bodies, issues relating to the promotion and protection of minorities were discussed with reference to the relevant rights contained in the various international instruments. When necessary, the members of the treaty bodies requested further information about the measures undertaken by States and thus also obtained clarification as to the implementation of specific rights. The information provided below is complementary to that contained in document A/50/514.

A. Human Rights Committee

28. Among the articles of the International Covenant on Civil and Political Rights which address the rights of persons belonging to minority groups are articles 2, 26 and 27. The Committee examined the implementation of those provisions in the course of its examination of periodic reports submitted by States parties. During the reporting period the reports of the following States were considered: Argentina, Paraguay, New Zealand, Haiti, United States of America, Ukraine, Sri Lanka, Russian Federation, Afghanistan, United Kingdom of Great Britain and Northern Ireland, Sweden and Estonia. The concluding observations adopted by the Committee at the conclusion of the examination of those reports are contained in document A/50/40.

B. Committee on the Elimination of Racial Discrimination

29. Pursuant to the terms of the International Convention on the Elimination of All Forms of Racial Discrimination, the Committee on the Elimination of Racial Discrimination has as a central concern the rights of ethnic minorities. During the reporting period the Committee addressed the issue in its consideration of periodic reports submitted by States parties, its early warning and urgent procedure, its elaboration of General Recommendations and elsewhere in its programme of work.

30. In all of the periodic reports of the following 22 States parties, the issue of minorities was considered: Trinidad and Tobago, Cyprus, Italy, Sri Lanka, Croatia, Peru, Bosnia and Herzegovina, Federal Republic of Yugoslavia, Romania, Guatemala, Belarus, Mexico, New Zealand, El Salvador, Nicaragua, United Arab Emirates, United Republic of Tanzania, Sierra Leone, Somalia, Madagascar, Nigeria, Chad. Decisions were adopted under the early warning and urgent procedure concerning the Russian Federation, Mexico, Algeria, The former Yugoslav Republic of Macedonia, Burundi, Rwanda, and Papua New Guinea. The concluding observations of the Committee are contained in document A/50/18.

31. A General Recommendation was adopted concerning article 3 of the Convention, which addresses racial segregation and apartheid, and the drafting began of a general recommendation on the issue of self-determination (see A/50/514, para. 54). During the reporting period the Committee had a joint meeting with the Sub-Commission on the Prevention of Discrimination and Protection of Minorities and agreed on a programme of ongoing cooperation with that body.

C. Committee on the Rights of the Child

32. Among the articles of the Convention on the Rights of the Child which address the rights of children belonging to minority groups are articles 2, 7, 22, 29, 30, 42 and 44. The Committee examined the implementation of those provisions in the course of its examination of the periodic reports of States parties. During the reporting period the reports of the following States were considered: Honduras, Indonesia, Madagascar, Paraguay, Spain, Argentina, the Philippines, Colombia, Poland, Jamaica, Denmark, the United Kingdom of Great Britain and Northern Ireland, Nicaragua, Canada, Belgium, Tunisia and Sri Lanka. The concluding observations of the Committee are contained in documents CRC/C/34, CRC/C/38, and CRC/C/43.

IV. SPECIAL RAPPORTEURS, SPECIAL REPRESENTATIVES AND WORKING GROUPS

33. In a number of cases, special rapporteurs and special representatives, appointed by United Nations human rights organs to investigate human rights situations in specific regions, countries and with reference to thematic issues, have addressed the rights of persons belonging to national or ethnic, religious and linguistic minorities within their mandates or have been confronted with violations of the rights of persons belonging to minorities. The following description of their activities is complementary to that contained in document A/50/514, paragraphs 56-60. The Working Group on Enforced and Involuntary Disappearances is particularly relevant, as persons belonging to minorities seem to be disproportionally affected.

A. Special Rapporteur on the question of torture

Yugoslavia

34. The Special Rapporteur has received allegations that ethnic Albanians living in the province of Kosovo are vulnerable to beatings and torture by the police and state security service (SDB). Victims of ill-treatment are said to be commonly political activists, persons formerly imprisoned for political reasons, and school and university staff. The Special Rapporteur has also received reports according to which violence by the police is frequently inflicted upon ethnic Albanians in Kosovo during the course of searches for weapons in their homes. It was reported that since the police forces were placed under the supervision of the Serbian Government in April 1990, most of the ethnic Albanian police officers have resigned or been dismissed, many for refusing to recognize the Serbian authority. It was alleged that the almost entirely Serbian police force single out persons of the majority ethnic Albanian population for ill-treatment. In this regard, an aim of the police was alleged to be to intimidate ethnic Albanians into leaving Kosovo.

China

35. Torture and ill-treatment of persons arrested for political reasons in Tibet was reported to be pervasive. The methods of torture were said to include beatings, electric shocks, deprivation of food and drink, exposure to cold, handcuffing or shackling for long periods, and denial of medical treatment. Juveniles detained for political reasons in Gutsa Detention Centre in Lhasa Tibet are held together with adult prisoners rather than in the juvenile section of the facility. In Drapchi prison in Lhasa, adults and juveniles are reportedly kept together because no separate juvenile section exists. Juveniles are allegedly forced to do hard labour and to work in unsanitary conditions with adults in prisons, detention centres, reform-through-labour detachments or re-education-through-labour detachments.

India

36. The Special Rapporteur has received allegations that torture is routinely practised against the vast majority of persons arrested for political reasons in Jammu and Kashmir. The army, the Border Security Force and the Central Reserve Police Force were all reported to engage in torture. Official investigations into allegations of torture in Jammu and Kashmir, including those that result in custodial deaths, were said to be rare.

Russian Federation

37. The Special Rapporteur has received information concerning the alleged torture or ill-treatment of persons in the course of operations conducted by the armed forces in the Chechen Republic since December 1994. According to the reports, many detainees held in prison camps were beaten systematically in order to extract confessions admitting support of or loyalty to Dzhokhar Dudayev. Many such incidents were reported to have occurred at "filtration points" in January and February 1995 in Grozny and Mozdok, as well as in investigation-isolation prisons established in Pyatigorsk and Stavropol. The persons detained at filtration points were said to be any Chechen male, whether or not involved in the armed opposition. It was reported that a primary reason for their detention was so that they might be used in exchange for captured Russian soldiers.

B. Representative of the Secretary-General on internally displaced persons

38. The representative of the Secretary-General has repeatedly examined the nexus between national, ethnic, religious and linguistic minorities and displaced persons in his reports. In his comprehensive study (E/CN.4/1993/35) he noted that "the most prevalent cause of internal displacement is civil war", which frequently involves minorities (para. 27). In paragraphs 134 to 154 he gave a historical analysis of the present ethnic fragmentation of States and the consequent civil wars. In his compilation of legal norms and standards relevant to internally displaced persons (E/CN.4/1996/52/Add.2) the representative refers to all international human rights instruments that relate to minorities and discusses their relevance to the situation of internally displaced persons and their specific rights.

39. To the extent that minorities are adversely or disproportionately affected by conflict, massive human rights violations and displacement, the representative has raised the relevant issues with the authorities of the countries he has visited and has included his findings in his country profiles. This was the case with regard to the territory of the former Yugoslavia, the territory of the former Soviet Union, Somalia, Sudan and, to some extent El Salvador, all of which he visited during the preparation of his comprehensive study (paras. 155-253), as well as with regard to Sri Lanka (E/CN.4/1994/44/Add.1), Burundi (E/CN.4/1995/50/Add.2), Rwanda (E/CN.4/1995/50/Add.4) and Peru (E/CN.4/1996/52/Add.1), which he visited subsequently. In his report to the Commission at its fiftieth session (E/CN.4/1995/50), the representative presented a set of recommendations which included strategies to resolve internal conflicts, promoting democratic structures and empowering marginalized communities to resume control of their local affairs and their own development (see paras. 244-266 and 285-286).

C. Special Rapporteurs on the situation of human rights in:

Burundi

40. There has been a severe deterioration of the general situation in Burundi, especially since May 1995. The climate of insecurity, fear and hatred affecting both Hutus and Tutsis has generated repeated acts of violence, most often perpetrated by extremist groups belonging to the two communities, which every day kill members of the military and civilians. Ethnic tensions between Tutsi and Hutu have reached such a degree that they are leading to racist practices by one ethnic group against the other; they are also spread throughout the organs of State, multiplying difficulties between the two ethnic communities and hindering the proper functioning of the State at all levels of its activity: maintenance of order and security in the country, administration of justice, control of the armed forces and the police services, access to and running of schools and universities, economic life and distribution of scarce resources to the population.

Equatorial Guinea

41. The Special Rapporteur on the situation of human rights in Equatorial Guinea transmitted to the Government of Equatorial Guinea, during his third visit to the country in May 1994, an aide-mémoire setting out matters of urgency and priority measures which should be adopted to ensure the observance of human rights in Equatorial Guinea. Among these matters of urgency, the Special Rapporteur included an unrestricted granting of the free and full exercise of political rights to all citizens, without discrimination of any kind on grounds of race, national or ethnic origin, sex, political or other opinion (E/CN.4/1995/68, paras. 9-10). In his report to the Commission at its fifty-first session the Special Rapporteur stated that the right to be free of any form of discrimination was clearly within his mandate and could be analysed in his forthcoming reports (E/CN.4/1995/68, para.40)

Islamic Republic of Iran

42. The former Special Representative on the situation of human rights in the Islamic Republic of Iran in his report to the Commission at its fifty-first

session made reference to acts of discrimination and economic pressure against the Baha'i religious minority (E/CN.4/1995/55, paras. 50-53 and 104-105). According to the allegations that he had received, marriage, divorce and the right to inherit among the Baha'is continued to be unrecognized in law. Seven Baha'is were in prison because of their religion and two of them had been sentenced to death. Major difficulties remained in obtaining passports and exit visas. Young Baha'is continued to be denied access to higher education. The cemeteries, holy places, historical sites and administrative centres of the Baha'i community remained confiscated or had been destroyed. The private sector was said to be under pressure from the authorities to dismiss Baha'i employees. Many Baha'is had been dismissed from the public sector on account of their religious beliefs and some of them had been required to return the salaries and pensions they had received when they were working. The Baha'i community continued to be denied the right to meet freely, to elect their representatives and to maintain their administrative institutions.

43. The Special Representative requested that careful consideration be given to the legal situation of Baha'is who were in prison, particularly those who had been sentenced to death or accused of apostasy, and demanded an end to the harassment and discrimination to which members of the Baha'i community were subjected because of their religious convictions (E/CN.4/1995/55, para. 110 (h)).

44. The Special Representative also made reference to the murders of three Protestant clergymen and a leader of the Sunni Muslim community (E/CN.4/1995/55, paras. 19, 48, 49, 82, 83, 101 and 110 (c)) and requested a thorough, careful and impartial investigation. He also requested an end to acts of surveillance, hostility and discrimination against Protestants, particularly converts from Islam and stated that permission should be given for the reopening of churches, chapels, libraries, bookshops and other Christian premises that had been closed down and for the construction of new premises. He recommended that the right to hold services in Farsi without being kept under surveillance by agents of the security forces should be guaranteed (para. 110 (i)).

Myanmar

45. For the past five years, the Special Rapporteur has regularly issued reports documenting human rights violations against members of ethnic minorities in Myanmar, particularly the Karen, Mon, Shan and Muslims in Rakhine (Arakan) State. Most of these violations are reported to occur in the context of the Myanmar Army's counter-insurgency activities against armed opposition groups operating in areas of large ethnic minority populations. However human rights violations by the Tatmadaw were also committed against those who live in areas where little or no armed insurgency activity was taking place. During 1991 and 1992, Muslims living in Rakhine State, also known as Rohingyas, were victims of widespread extrajudicial executions, torture and ill-treatment, and forced labour and portering. This campaign by the Army resulted in over 250,000 Muslims fleeing to neighbouring Bangladesh to seek asylum; by the end of September 1995 some 200,000 Muslim refugees had been repatriated since September 1992.

46. Since 1989, the State Law and Order Restoration Council (SLORC) has agreed cease-fires with 15 armed ethnic minority groups, including most recently the Mon and Karenni.

47. Human rights violations in ethnic minority areas generally consist of forced portering for the Army, sometimes involving torture and ill-treatment, forced labour, and extrajudicial killing of porters and suspected members and sympathizers of armed opposition groups. However, suspected political opposition activities are not normally the reason that the Tatmadaw subjects members of ethnic minority groups to human rights violations. Troops seize civilians for portering and forced labour duty regardless of their political affiliation and all villagers are liable to be taken, either at random or on a rotation basis. The Tatmadaw uses civilians for forced portering and labour in a systematic manner which effectively means that no one is exempt from such practices. Villagers are never paid for their work and usually do not receive sufficient food and medical care.

48. Civilians are at risk of being killed by the Tatmadaw if they are suspected of having ties with armed ethnic minority groups or of providing supplies to them. Civilians may also be killed if they cannot carry their load as porters or if they attempt to escape.

Rwanda

49. In his first report on the situation of human rights in Rwanda (E/CN.4/1995/7, of 28 June 1994), the Special Rapporteur on Rwanda, confirmed the genocide of the Tutsis by Hutu militia, soldiers and citizens. The massacres were the result of an institutionalized policy of discrimination against the Tutsis and Batwas by the Hutus and their exclusion from various important areas of national affairs (education, politics, army). Indeed, one of the major causes of human rights violations in Rwanda since independence was incitement to ethnic hatred and violence. Repeated appeals were made to the Hutus to keep the Tutsis from returning to power (lost in 1959). From 1993 to 1994, before and during massacres and civil war, Radio Rwanda, the national broadcasting station controlled by the former President, and in particular "Radio-Télévision Libre des Mille Collines", did not hesitate to call for the extermination of the Tutsi and it is notorious for the decisive role it appears to have played in the massacres.

50. After the war and the change of Government, the Special Rapporteur reported the mass violations of human rights in Rwanda, including violations of property rights, of personal safety and of the right to life (E/CN.4/1995/70, of 11 November 1994, paras. 23-46). From the beginning of 1995, these violations increased, taking the form, in particular, of arbitrary arrests and detentions, distressing conditions of detention, summary executions and massacres (for example, in Kibeho displaced persons camps in April 1995 and in Kanama commune in September 1995), and abductions and enforced disappearances (E/CN.4/1996/7). It appears that all these violations are perpetrated against Hutus and could be considered as de facto discrimination of persons belonging to the Hutu ethnic group.

Sudan

51. In his interim report to the General Assembly at its fiftieth session (A/50/569) the Special Rapporteur on the situation of human rights in the Sudan reported that there had been serious violations of the rights of persons belonging to national or ethnic, religious and linguistic minorities committed by the Government of Sudan.

52. The Special Rapporteur concluded that the abduction of persons, mainly women and children belonging to racial, ethnic and religious minorities from southern Sudan, the Nuba Mountains and the Ingassema Hills area, their subjection to the slave trade, including traffic in and sale of children and women, slavery, servitude, forced labour and similar practices were taking place with the knowledge of the Government of Sudan. He noted that in all these cases, the practices had a pronounced racial aspect, as the victims were exclusively southerners and persons belonging to the indigenous tribes of the Nuba Mountains.

53. He further noted that information from the Nuba Mountains indicated that atrocities against the indigenous population there had intensified, as revealed by recent reports on the abduction of hundreds of Nubans and on the desecration of mosques, the continuing destruction of churches and harassment of local Imams and clergymen.

54. Similarly, with regard to the rights of the child, the Special Rapporteur reported that since the overwhelming majority of the victims were children belonging to the various southern tribes or tribes from the Nuba Mountains and the Ingassema Hills, the racial aspect of the violations could not be disregarded. The Special Rapporteur believes that the racial dimension of the violations and abuses against children living in the north, or of children in the south who are abducted and sold into slavery constitutes a particularly grave and alarming circumstance, which should be of particular concern from a human rights perspective.

the former Yugoslavia

55. The following information is based on the reports of the Special Rapporteur prepared during 1994 and 1995 for the Commission on Human Rights.

56. Yugoslavia 1/ had been described as a multinational country. It comprised six so-called constituent nations, Croats, Macedonians, Montenegrans, Muslims, Serbs and Slovenes, and national minorities, mainly Albanians, Bulgarians, Czechs, Hungarians, Italians, Romas, Ruthenes, Slovaks, Turks and Ukrainians.

57. As far as the confessional groups were concerned, about one third of the population was Catholic and one tenth Muslim, the remainder belonging to the Orthodox Church.

58. In his reports the Special Rapporteur strongly emphasized that although the conflict in the former Yugoslavia has no religious or ethnic grounds, ethnic characteristics have regularly been used by the parties involved as a tool to achieve their political and territorial aims.

59. In June 1991 when Croatia and Slovenia declared themselves independent from Yugoslavia, and subsequently received recognition from the international community, Serbs living in Croatia, becoming de facto a national minority, opposed this move with the support of the Yugoslav People's Army (JNA). These first hostilities paved the way for serious human rights violations of ethnic origin in particular in Bosnia and Herzegovina.

60. The Special Rapporteur considered that the problem of minorities was clearly not of the same nature in all parts of the former Yugoslavia. Slovenia, for example, almost totally escaped the minorities' problem owing to its homogenic population structure. In all other parts of the former Yugoslavia problems involving minorities are observed. The worst aspect of the violation of human rights based on ethnic grounds is the so-called "ethnic cleansing". 2/

D. Working Group on Enforced and Involuntary Disappearances

61. During 1995, the Working Group transmitted nine newly reported cases of disappearances to the Government of India, four of which reportedly occurred in 1995.

62. All the newly reported cases occurred in the province of Punjab, and concerned the mother of the Chief General of the Khalistan Commando Force, the Secretary-General of the human rights wing of the Akali Dal political party, a father and his daughter whose husband was wanted by the police, and other members of the Sikh community suspected by the Indian security forces of secessionist activities.

63. The majority of the cases of disappearance transmitted to the Government of India in the past occurred between 1983 and 1994, in the context of ethnic and religious disturbances in the provinces of Punjab and Jammu and Kashmir. In Jammu and Kashmir, a considerable number of persons were reported to have disappeared after "shoot-outs" with security forces. The disappearances were carried out in both regions by the police, the army or paramilitary groups reportedly connected to the armed forces, who are said to benefit from a wide range of power granted to them under emergency legislation, namely the Terrorist and Disruptive Activities Act and the Public Security Act. It was reported that under these Acts prolonged detention without the safeguards available under criminal law was tolerated.

V. INTERGOVERNMENTAL ORGANIZATIONS

Council of Europe

64. The Council of Europe provided the following information.

65. In accordance with the declaration of the Heads of State and Government of the Member States of the Council of Europe adopted at the Summit Conference of 8-9 October 1993, a "framework convention specifying the principles which the contracting States commit themselves to respect, in order to assure the protection of national minorities" was drafted and adopted by the Committee of Ministers on 10 November 1994. The framework Convention was opened for signature on 1 February 1995 and has as of November 1995 been signed by the

following 30 States: Albania, Austria, Cyprus, Czech Republic, Denmark, Estonia, Finland, Germany, Hungary, Iceland, Ireland, Italy, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Moldova, Netherlands, Norway, Poland, Portugal, Romania, San Marino, Slovakia, Slovenia, Spain, Sweden, Switzerland and the United Kingdom of Great Britain and Northern Ireland, ratified by one country, Romania, and signed by one non-member, Ukraine. The provisions of the Convention are detailed in paragraph 61 of document A/50/514 and the other activities of the Council of Europe in the field of minority protection, including the drafting of an additional protocol to the European Convention on Human Rights in the cultural field and the European Charter for regional or minority languages, are detailed in paragraphs 62 and 63 of that document.

66. In addition, the establishment of a mechanism, open to all European countries, that might help avert or solve minority problems by establishing facts and carrying out consultations, mediation and conciliation is being considered. Following the establishment of the High Commissioner on National Minorities of the Organization for Security and Cooperation in Europe, the Council of Europe is working closely with the High Commissioner in carrying out his functions.

67. It was felt that the Council of Europe should also be ready to contribute to the resolution of specific problems of minorities. In order for legal measures to be effective, they needed to be accompanied by changes of attitude among those concerned. Confidence-building measures were thus elaborated, aimed at the promotion of tolerance and understanding between people. The Council of Europe now contributes to efforts in this area in two ways: by offering assistance and expert advice to State authorities in the drafting of bilateral treaties, national measures or policies concerning the situation of a given minority; and by supporting pilot projects at the grass-roots level aimed at promoting good relations between minorities and the "local" majority.

68. In relation to the latter, a large part of the work of the Council of Europe can be viewed as promoting a climate of mutual understanding and tolerance, and respect for the culture of others, in particular, its work in relation to education, culture, mass media, migration and transfrontier cooperation between local and regional authorities. However, much of this work takes place at the intergovernmental level. This needs to be accompanied by specific initiatives on the ground, undertaken in close cooperation with the communities concerned.

69. In this context, the programme of civil society confidence-building measures was established, intended to mobilize various preventive initiatives, aimed at defusing tensions capable of generating serious conflicts. These activities are all of a practical nature and seek to contribute to the dismantling of barriers which divide communities, through providing opportunities to speak, learn and work together on specific projects. Such a sharing of experience is considered the most effective way of promoting mutual knowledge and understanding and deterring resort to violence as a means of problem-solving. A central characteristic of all these projects is that they are conducted in partnership with non-governmental organizations.

70. In 1995 specific projects were undertaken in the areas of the media, education, housing and social services and are also envisaged in other spheres of social and cultural affairs as well as youth, local democracy and regional cooperation. Two current projects involve a training centre in Timisoara (Romania) and a bilingual (Estonian/Russian) regional television studio in Estonia. Any immediate effects will be visible only at the local level. It is intended that these pilot projects, where they meet with success, will have a multiplier effect and encourage similar initiatives by others; successful or not, they will also provide valuable lessons for future endeavours.

VI. NON-GOVERNMENTAL ORGANIZATIONS

Minority Rights Group

71. The Minority Rights Group provided information on its activities over the past year. In particular it organized a round table on the implementation of the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities and the examination of thematic issues relating to racism, xenophobia, minorities and migrant workers. The purpose of the meeting was twofold: to encourage sharing of information among the participants on the question of the implementation of the Declaration and to stimulate debate on ways in which the Sub-Commission examines thematic issues relating to racism, xenophobia, minorities and migrant workers.

72. Suggestions were made for cooperation and coordination between different organs and bodies of the United Nations, especially between the Sub-Commission, the Committee on the Elimination of Racial Discrimination, the High Commissioner for Human Rights and the Working Group on Minorities of the Sub-Commission, and regional institutions, including the High Commissioner on National Minorities of the Organization for Security and Cooperation in Europe, and non-governmental organizations.

73. In respect of the role of non-governmental organizations (NGOs), the participants of the round table suggested that: NGOs could act as catalysts for dialogue between minorities and the Governments concerned; NGOs and minorities could identify geographical areas where specific educational efforts were required; and the programme of advisory services and technical assistance of the Centre for Human Rights should consider contracting work out to experienced NGOs.

74. Finally, the participants suggested that regional approaches to situations involving minorities should be developed, education on minority issues promoted, programmes focusing on minority issues monitored and the protection of non-citizens considered in greater detail.

75. During 1995, the Minority Rights Group continued to promote understanding of the Declaration on the Rights of Persons Belonging to National, or Ethnic, Religious and Linguistic Minorities by producing educational material, developing concepts and understanding of minority rights at regional and international levels and by cooperating on specific projects.

VII. CONCLUSIONS

76. In view of the few replies received by the Centre for Human Rights and the lack of substantive information contained therein, it is difficult to arrive at conclusions of a general nature which accurately represent the measures taken to give effect to the Declaration by the international community as a whole. In particular, it seems that the replies focused mainly on the constitutional and legislative provisions protecting and promoting the rights of persons belonging to minorities, with many Governments listing relevant legislation at length. In order better to examine the ways and means to promote effectively the rights of persons belonging to minorities and to observe some of the relevant trends, it is necessary to receive replies from a greater number of countries on substantive information on actual measures taken to protect minorities, including any affirmative action undertaken to give effect to the Declaration in practice.

77. The working group on minorities of the Sub-Commission proved successful in identifying some of the key issues relating to the practical realization of the Declaration, the components of possible solutions to problems involving minorities and some specific items to be discussed within the framework of further measures for their protection. It is hoped that the working group will continue to be a genuine forum for dialogue and mutual understanding between minorities and Governments, and will attract a wide range of participants in the future.

78. In the context of their reporting obligations under various international human rights instruments, in particular the International Covenant on Civil and Political Rights, the Convention on the Elimination of All Forms of Racial Discrimination and the Convention on the Rights of the Child, States have continued to report on the measures taken to give effect to the specific provisions on the rights of persons belonging to minorities.

79. The information provided by special rapporteurs, special representatives and the Working Group on Enforced or Involuntary Disappearances illustrates the vulnerability of persons belonging to minorities. They are not only discriminated against but are also disproportionally affected by gross violations of human rights because of their status as members of a minority group. This underscores the need for every United Nations body to focus its attention on the treatment accorded to persons belonging to minorities within the framework of their respective mandates.

80. The work of the advisory services and technical assistance programme, in particular the provision of legislative and constitutional assistance and the organization of seminars, training courses and workshops, within the framework of national programmes of action is a valuable contribution to improving mutual tolerance and understanding between minorities themselves and between minorities and Governments, and to the search for solutions to problems involving minorities. In addition, the strengthening of national institutions will contribute to the promotion of greater awareness of the rights of persons belonging to minorities, advising and assisting Governments in the solution of conflicts involving minorities, and the investigation of the violation of the rights of persons belonging to minorities.

81. The Office of the United Nations High Commissioner for Refugees (UNHCR) will support the work undertaken by the United Nations in this field. The issue of forcible displacement of populations, including threats of removal and the return of persons who have been displaced, and its disproportionate effect on persons belonging to minorities, has been identified by UNHCR as an area which requires further attention.

82. The activities of the Council of Europe complement, on a regional basis, those of the United Nations in the field of minority protection. The Council's standard-setting activities, its cooperation with the High Commissioner on National Minorities of the Organization for Security and Cooperation in Europe, and the confidence-building measures which it has elaborated provide useful examples for emulation in other forums or countries in similar situations.

83. The work of the Minority Rights Group is illustrative of the links non-governmental organizations can forge with the United Nations, the contributions such organizations can make to the promotion and protection of the rights of persons belonging to minorities and their capacity to gather invaluable information relating to minorities in countries at the local level.

Notes

1/ A term which is used to signify the former Socialist Federal Republic of Yugoslavia and its republics.

2/ "Ethnic cleansing" refers to the elimination, by the ethnic group exercising control over a given territory, of members of other ethnic groups, which involves a variety of methods, including harassment, discrimination, beatings, torture, rape, summary executions, expulsions, shelling of civilian population centres, relocation of populations by force, confiscation of property and destruction of homes and places of worship and cultural institutions.

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ADVISORY SERVICES IN THE FIELD OF HUMAN RIGHTS

Situation of human rights in Togo

Report of the Secretary-General submitted pursuant to Commission on Human Rights resolution 1995/52

CONTENTS

		Paragraphs	Page
INTRODUCTION		1 - 3	2
I.	COOPERATION WITH THE GOVERNMENT OF TOGO WITH A VIEW TO THE ESTABLISHMENT OF A PROGRAMME OF ADVISORY SERVICES AND TECHNICAL ASSISTANCE IN THE FIELD OF HUMAN RIGHTS	4 - 9	2
II.	ACTION TAKEN BY SPECIAL RAPPORTEURS OF THE COMMISSION ON HUMAN RIGHTS	10 - 12	4
	A. Action taken by the Special Rapporteur on extrajudicial, summary or arbitrary executions	10 - 11	4
	B. Action taken by the Special Rapporteur on the question of torture	12	4
III.	INFORMATION FROM THE GOVERNMENT OF TOGO ON THE IMPLEMENTATION OF COMMISSION ON HUMAN RIGHTS RESOLUTION 1995/52	13	4
IV.	INFORMATION FROM NON-GOVERNMENTAL ORGANIZATIONS INVOLVED IN THE DEFENCE OF HUMAN RIGHTS	14	11

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Introduction

1. On 3 March 1995, at its fifty-first session, the Commission on Human Rights adopted resolution 1995/52, entitled "Situation of human rights in Togo". It welcomed the fact that Togo had set out on the road to democratic political change and urged all Togolese to respect the outcome of the parliamentary elections of February 1994 and to ensure the effective functioning of the democratically elected Parliament; it also welcomed the progress made in the field of human rights and national reconciliation, in particular the amnesty law of December 1994 which had permitted the release of a number of political prisoners. The Commission also urged the Togolese authorities to continue to further improve the situation of human rights.

2. In addition, the Commission called upon the Togolese authorities to comply fully with their obligations under the international human rights instruments to which Togo is a party. The Commission also encouraged the Togolese authorities to facilitate the participation of the organs of society in the process of democratization, including national institutions dealing with the promotion and protection of human rights. It also strongly encouraged the Government of Togo to continue its cooperation with the Centre for Human Rights through the Centre's programme of advisory services and technical assistance.

3. The Commission requested the Secretary-General to submit to it at its fifty-second session a report on the implementation of the resolution. The present report is the response to that request. Chapter I describes the cooperation entered into with the Government of Togo with a view to the establishment of a programme of advisory services and technical assistance in the field of human rights. Chapter II summarizes the action taken by Special Rapporteurs of the Commission on Human Rights. Chapter III of this report reproduces the contents of the note verbale of the Government of Togo. Chapter IV is a summary of the information contained in the report brought to the Secretary-General's attention by a non-governmental organization involved in the defence of human rights.

I. COOPERATION WITH THE GOVERNMENT OF TOGO WITH A VIEW TO THE ESTABLISHMENT OF A PROGRAMME OF ADVISORY SERVICES AND TECHNICAL ASSISTANCE IN THE FIELD OF HUMAN RIGHTS

4. Since 1994 numerous initiatives have been taken by the Togolese authorities to convince the international community of Togo's commitment to guaranteeing to each Togolese without any discrimination whatsoever the full enjoyment of human rights and, in more general terms, to ensuring that the culture of human rights permeates all the organs of the State. The Minister of Human Rights and Rehabilitation with responsibility for relations with Parliament, visited Geneva on 27 September 1994, 10 November 1994 and 1 February 1995 so as to inform the Centre for Human Rights of his country's wish to receive an assessment mission with a view to establishing a three-year programme of action for the promotion and protection of human rights within the framework of the Vienna Declaration and Programme of Action. This wish

has been subsequently expressed on several occasions in correspondence from the Togolese authorities, in particular by the Prime Minister and the Minister of Human Rights and Rehabilitation, with responsibility for relations with Parliament.

5. At the request of the Government of Togo, the Centre for Human Rights sent a needs assessment mission to Togo from 6 to 10 March 1995, whose aim was to help the Government to identify clearly its priority needs, so as to be able to formulate a national programme of technical assistance that would promote human rights and fundamental freedoms. The assistance thus provided will help to create a culture of human rights and to strengthen democracy.

6. The mission held discussions with the political, administrative and religious authorities, trade union representatives, student associations, women's associations and humanitarian associations and organizations for the defence and promotion of human rights, as well as with the representatives of the public and private press and representatives of the specialized agencies of the United Nations. The mission also had conversations with the representatives of the main donor countries in Togo.

7. On the basis of the recommendations set forth in the report of the assessment mission*, the Centre for Human Rights prepared a comprehensive project for the country in the field of human rights, which was endorsed by the Board of Trustees of the Voluntary Fund for Technical Cooperation in the Field of Human Rights at its fourth session, held from 31 October to 3 November 1995. The project document, which consists of two parts, human rights in the administration of justice and human rights teaching, was submitted to the Togolese authorities on 17 October 1995 for their observations and comments.

8. As part of the task of establishing the technical assistance programme, the General Directorate of Human Rights of the Ministry of Human Rights and Rehabilitation sent a consultation mission to the Centre for Human Rights from 21 to 28 October 1995. The aim of that mission was to assess the progress achieved in preparing the programme of assistance for Togo and to harmonize the viewpoints of the Centre and of the Government of Togo.

9. With a view to strengthening its cooperation with the Government of Togo, the Centre participated in the International Conference on the Instruments and Mechanisms for the Protection of Human Rights in Africa: Realities and Prospects, which was organized by the National Commission on Human Rights of Togo and held in Lomé from 29 to 31 May 1995.

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* The report of the mission is available for consultation in the secretariat of the Centre for Human Rights.

II. ACTION TAKEN BY SPECIAL RAPPORTEURS OF THE COMMISSION ON HUMAN RIGHTS

A. Action taken by the Special Rapporteur on extrajudicial, summary or arbitrary executions

10. The action taken by the Special Rapporteur on extrajudicial, summary or arbitrary executions in respect of Togo is described in detail in his report to the Commission (E/CN.4/1996/6, para.).

11. During 1995 the Special Rapporteur sent an appeal to the Government of Togo, in which he set forth information concerning the extrajudicial, summary or arbitrary execution of Mr. Akue Atcha Kpakpo Sabin, Director of the Agence pour la sécurité de la navigation aérienne (Agency for Air Safety, ASECNA), by eight unknown persons, seven of whom were wearing military uniform.

B. Action taken by the Special Rapporteur on the question of torture

12. The action taken by the Special Rapporteur on the question of torture in respect of Togo is described in detail in his report to the Commission (E/CN.4/1996/35/Add.2, para. 676).

III. INFORMATION FROM THE GOVERNMENT OF TOGO ON THE IMPLEMENTATION OF COMMISSION ON HUMAN RIGHTS RESOLUTION 1995/52

13. By note verbale dated 29 September 1995, the Secretary-General transmitted to the Togolese Minister of Human Rights and Rehabilitation, with responsibility for relations with Parliament, a copy of resolution 1995/52 and expressed the wish to receive from the Government of Togo any information and comments that it might like to provide with regard to that resolution. By note verbale dated 10 November 1995, the Minister of Human Rights and Rehabilitation, with responsibility for relations with Parliament, transmitted the report of the Government of Togo, submitted pursuant to resolution 1995/52. The text of the report is reproduced below:**

"Improvement of the situation of human rights in the country and national reconciliation

(para. 4 of the resolution)

(1) Resolution 1995/52 adopted last year had already noted the progress achieved in Togo in the promotion and protection of human rights and national reconciliation.

(2) The promotion and protection of human rights have never been ends in themselves. All peoples must make the effort to further the promotion and protection of human rights.

** The secretariat of the Centre for Human Rights has numbered the paragraphs of the Togolese report from (1) to (51) in order to make it easier to read.

(3) Conscious of this fact, Togo has not simply been content to congratulate itself on the progress it has achieved in the protection of human rights, but has sought to re-establish peace and security for all. The proof of this is that massive violations of human rights are no longer occurring in the country. This fact has been noted by the African Commission on Human and Peoples' Rights, whose President has declared: 'I am not only satisfied at Togo's commitment for the future, but we have noted clear signs of a very considerable improvement in human rights since the present Government took office'.

(4) However, the most substantial achievements have been the additional measures taken along the path towards national reconciliation.

(5) With a view to the successful implementation of the policy of national reconciliation and 'general pardon' advocated by the Head of Government, several activities were planned. They include training seminars in Kpalimé (19-20 January 1995) on the subject: 'The rule of law and national reconciliation'. The same topic was also dealt with at Kara, Dapaong, Sokodé and Aného. Training seminars on human rights were also organized within the country by the Ministry, non-governmental organizations or human rights associations.

(6) After the adoption of the amnesty law on 14 December 1994, a decisive step forward was achieved with the signing of an agreement on 12 August 1995 between the Government of the Togolese Republic and the Office of the United Nations High Commissioner for Refugees. The purpose of this accord is to promote, facilitate and organize the voluntary repatriation of Togolese refugees. So as to facilitate their return, the Togolese Government promised to create or improve the conditions conducive to the repatriation of those of its citizens still in exile, in particular by ensuring their return in conditions of security and dignity.

(7) As a prelude to the seventeenth session of the African Commission on Human and Peoples' Rights, held in Lomé from 13 to 22 March 1995, the Ministry of Human Rights and Rehabilitation, with responsibility for relations with Parliament, organized on 8 and 9 March 1995, in conjunction with the African Commission on Human and Peoples' Rights and the organization Femme et droit de développement en Afrique (Women and the Right to Development in Africa), a training seminar attended by delegates from 27 African countries, representatives of non-governmental organizations involved in questions relating to women's rights in Africa and members of the African Commission on Human and Peoples' Rights.

(8) This important meeting gave the participants the opportunity to examine the situation of women's rights in Africa, the results of the preparatory conference in Dakar and the instrument for protecting women's rights - the African Charter on Human and Peoples' Rights.

(9) In addition, the eighth seminar of the International Commission of Jurists (ICJ) was held in Lomé from 10 to 12 March 1995.

(10) Organized by the International Commission of Jurists, in conjunction with the African Commission on Human and Peoples' Rights and the Association pour la promotion de l'état de droit (Association for the Promotion of the Rule of Law, (APED)), the purpose of this seminar was to examine the whole range of questions raised by the participation of non-governmental organizations in the work of the African Commission on Human and Peoples' Rights. During this seminar the representatives of the non-governmental organizations carried out a review of the situation of human rights in Africa and proposed measures designed to make the prison systems in our States more humane.

(11) The Togolese Government showed the particular importance it attached to the work of the International Commission of Jurists by arranging for the official opening of these proceedings to be carried out by the Minister of Human Rights and Rehabilitation, with responsibility for relations with Parliament.

(12) At the invitation of the Government of Togo, the African Commission on Human and Peoples' Rights held its seventeenth ordinary session in Lomé from 13 to 22 March 1995.

(13) The Ministry of Human Rights and Rehabilitation, with responsibility for relations with Parliament, actively helped in the material preparation of this session. The Government of Togo wished, through this event, to reaffirm its commitment to the promotion and protection of human rights in accordance with the provisions of the Constitution of the Fourth Republic and the principles set forth in the international instruments on human rights ratified by Togo.

(14) The proceedings were opened by the Minister of Human Rights and Rehabilitation, with responsibility for relations with Parliament, and closed by his Excellency the Prime Minister.

(15) The proceedings of the Commission were mainly devoted to the adoption of reports, to the examination of requests for observer status, questions on extrajudicial executions, penal reform, administrative and financial questions and the examination of communications.

(16) From 29 to 31 May 1995 a meeting of the National Commissions on Human Rights was held in Lomé on the topic: 'Instruments and mechanisms for the Protection of Human Rights in Africa: Realities and Prospects'. Organized by the National Commission on Human Rights of Togo (CNDH), this meeting was attended by delegates from the national commissions in Africa or similar institutions, representatives of associations and leagues of human rights in Togo and elsewhere. Prefects, mayors, police superintendents and officers, officers of the gendarmerie and traditional chiefs from various localities in Togo were also invited to this meeting.

(17) In the course of this meeting questions of major importance were discussed. They included:

The role of national commissions in the changing situation of human rights in Africa;

Human rights and traditions in Africa;

Ways of adapting the work of the national commissions on human rights and of African non-governmental organizations to conditions of political pluralism;

The new legal framework for the activities of the national commissions on human rights in Africa.

(18) This important meeting was opened by the Prime Minister, who took the opportunity to reaffirm the attachment of the Head of State and Head of Government to the principles governing human rights and their commitment to promoting them.

(19) In addition, the Minister of Justice, in conjunction with the Embassy of the United States of America in Togo, organized in Lomé, on 12-13 October 1995, and in Kara, on 18-19 October 1995, a training seminar for senior prison officers in Togo on the subject: 'Justice and prison life'.

(20) These seminars for governors, chief prison officers, senior police officers, judges, lawyers, chaplains, social workers and representatives of the Ministry of Human Rights and Rehabilitation, with responsibility for relations with Parliament, enabled the participants to exchange views on such diverse questions as:

The responsibilities of prison staff;

Relations between the examining magistrate and the prison administration;

The rights and duties of detainees.

(21) At the conclusion of these seminars recommendations were made to decision-makers in the prison administration and to the Minister of Justice.

(22) These recommendations dealt with the autonomy of prison management, the establishment of new infrastructures, the reorganization and equipping of remand prisons and conditions of hygiene and health for detainees.

(23) The soundness of these recommendations and the urgent desire expressed by the participants to see them implemented reveal the importance attached by all the participants to the conditions of prisoners, who should be treated with all the consideration due to their status as human beings.

(24) The Ministry of Human Rights is striving to give priority to the promotion of human rights.

(25) Thus, through the Directorate for the Promotion of Human Rights, the Ministry has devised a policy for the promotion of human rights over the next few years. The implementation of this vast programme, which involves a whole range of projects, including seminars, the publication of a journal on human rights, the construction of a documentation centre and the training of human rights teachers, will require substantial human and financial resources.

(26) In order to emphasize official support for the observance of human rights the Government of Togo is working actively to establish institutions for the protection of human rights.

(27) Draft laws and proposals designed to ensure the effective operation of the National Commission on Human Rights, the Constitutional Court, the Supreme Council of Justice, the Judiciary Regulations and the High Court for Broadcasting and Communication are being discussed in the National Assembly.

(28) Togo remains convinced that its socio-economic development can only be achieved through the observance of human rights. Clearly, the present course of events in the country shows a clear improvement in human rights, so that citizens are now able to enjoy their civil, civic and political rights.

(29) However, the effective enjoyment of economic, social and cultural rights has decreased somewhat following the devaluation of the CFA franc, one of whose consequences has been a considerable rise in the price of consumer goods. This reduces still further people's rather limited purchasing power and is likely to restrict their legitimate right to live in dignity and happiness.

(30) Thus, the Government is facing innumerable challenges and will only be able to overcome them as a result of the combined efforts of bilateral and multilateral cooperation.

II. Participation of the organs of society and national institutions in the process of democratization of the country

(para. 6 of the resolution)

(31) The organs of society and the institutions for the promotion and protection of human rights have played an active role in the struggle to bring democracy to Togo.

(32) Thus, in order to promote peace and security for all and enable the newborn democracy to take root, the Ministry of Human Rights organized two major national information campaigns.

(33) The first campaign was held from 2 to 7 August 1993 on the subject: 'Democracy and tolerance'.

(34) The second, from 25 to 27 August 1994, dealt with the virtues of national reconciliation.

(35) In order to help people become more fully aware of the ideals of democracy, the Ministry of Human Rights was mandated to continue its efforts to educate people in their rights and duties.

(36) In addition, the National Commission on Human Rights, which has been in the forefront of political change in the country, is also working to achieve this objective. The same is true of many human rights leagues and associations. These different associations have always taken up a position on the major issues concerning political life in Togo.

(37) During the pre-electoral period and the campaigns some of these non-governmental organizations organized radio and television broadcasts on the arrangements for voting: meaning of the ballot papers, choice of ballot papers and access to the polling booths.

(38) The Government of Togo, conscious of the useful role played by associations and leagues for the defence of human rights, attaches great importance to the initiatives they take. This is clearly shown by the fact that during the two training seminars for human rights' teachers held respectively from 6 to 10 June and from 20 to 24 June 1994 by the Togolese League for Human Rights (LTDH) and the International Federation of Human Rights (FIDH) the Government of the Fourth Republic played an active role in the proceedings by sending representatives and presiding over the opening and closing ceremonies. A similar level of support has been given to all the other non-governmental organizations and associations operating in the field of human rights.

III. Preparation of periodic reports

(para. 5 of the resolution)

(39) As regards the promotion and protection of human rights, Togo has ratified or acceded to most of the international instruments and has formally incorporated them into its Constitution under the terms of article 50. Togo is therefore obliged, as a result of this commitment, to submit periodic reports.

(40) Togo is, admittedly, currently behind schedule in the preparation and submission of reports, but this is not because of any lack of political will.

(41) The fact is that Togo has decided to honour its commitments in the field of human rights and consequently intends to re-establish a constructive dialogue with United Nations bodies. Thus it was that in July 1994 it submitted and presented its second periodic report to the United Nations Human Rights Committee in accordance with article 40 of the International Covenant on Civil and Political Rights.

(42) Togo will soon be transmitting its initial report to the United Nations Committee on the Rights of the Child under the Convention on the Rights of the Child, to which it is a party.

(43) An interdepartmental committee chaired by the Minister of Human Rights and Rehabilitation, with responsibility for relations with Parliament, is currently involved in the preparation of the following three reports:

The third report under the International Covenant on Civil and Political Rights;

The initial report under the International Covenant on Economic, Social and Cultural Rights;

The initial report under the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.

IV. Programme of advisory services and technical assistance in the field of human rights

(44) With a view to strengthening its policy of promoting and protecting human rights, the Government of Togo has requested United Nations technical assistance from the Centre for Human Rights.

(45) For the purposes of preparing a technical assistance programme, the Minister of Human Rights and Rehabilitation made working visits to the Centre in 1994 and 1995 to meet officials. In response to a request from the Government of Togo, the Centre for Human Rights sent a mission from 6 to 10 March 1995 to assess the country's needs in the field of human rights.

(46) The mission drew up a list of needs and discussed with the Government the priorities for the establishment of a technical assistance programme in the field of human rights.

(47) The report of the assessment mission stresses the efforts already undertaken by the Government of Togo in the field of human rights. It recommended a programme of technical assistance to the Government of Togo so as to support its efforts and help it to consolidate the democratic process. The draft technical assistance programme that was drawn up includes the following elements: education, training, strengthening of national institutions for the promotion and protection of human rights and establishment of a documentation and information centre, and is aimed at the following target groups: the police, gendarmerie, armed forces, young people, judges and officers of the court, members of Parliament, officials of the Ministries of Human Rights, of Justice and of Foreign Affairs, teachers, journalists and officials of human rights associations.

(48) With a view to harmonizing the approaches of the Centre for Human Rights and the Government of Togo, the Director-General of Human Rights dispatched a mission to the Centre for Human Rights in Geneva from 21 to 28 October 1995.

(49) Without waiting for the opportunities provided by resolutions 1994/78 of 9 March 1994 and 1995/52 of 3 March 1995 to avail itself of technical assistance from the Centre, Togo had already taken the initiative as early as 1992. Togo is delighted by the current political developments and the positive response of the international community to the improvements in human rights in the country.

(50) The Government of Togo, in accordance with the spirit of paragraph 9 of resolution 1995/52 of 3 March 1995, is extremely keen to see an end to consideration of the human rights situation in Togo by the United Nations Commission on Human Rights.

(51) The Government of Togo intends to continue the cooperation that it has begun with the Centre for Human Rights with a view to the successful implementation of the technical assistance programme that has been devised."

IV. INFORMATION FROM NON-GOVERNMENTAL ORGANIZATIONS INVOLVED IN THE DEFENCE OF HUMAN RIGHTS

14. In paragraph 6 of resolution 1995/52, the Commission on Human Rights encouraged the Togolese authorities to facilitate the participation of the organs of society in the process of democratization, including national institutions dealing with the promotion and protection of human rights. It is in this context that the Secretary-General received from the Togolese League for Human Rights the information reproduced below:***

"(1) The violations of human rights that occurred in Togo between February and June 1995 are described below.

(2) 22 February 1995: the Vice-President of the Togolese League of Human Rights (LTDH) was threatened by the Public Prosecutor and the military authorities, in particular the Minister of Defence, the Chief of Staff and some senior officers of the Togolese Armed Forces (FAT), following a statement by the Executive Bureau of the LTDH of 15 February 1995 expressing deep concern at the silence of the Minister of Defence about the situation of Lieutenant-Colonel Narcisse Yoma Djoua and his accomplices, who were implicated in a case of murder. The military authorities forced the Vice-President to sign a statement formulated by them on 24 February 1995 rebutting the terms of the LTDH resolution.

(3) 16 March 1995: unsuccessful search of the home of Mr. Kodjovi Emmanuel de Souza, situated in the Bè Pa de Souza district, by members of the National Gendarmerie in an attempt to find weapons. They smashed doors and windows and ransacked the whole house in the absence of Mr. de Souza.

(4) 30 March 1995: discovery by the National Gendarmerie of a cache of weapons in the house of Mr. Alexandre Adékambi beside the cemetery of Nyékonakpo (Lomé), a few yards from the Togolese frontier (sic). The discovery was followed by the arrest of several persons, including:

- Mr. Adjé Wilson, manager of the grill restaurant 'Zamelo' in Bè;
- Mr. Lambert Koffi, technical manager of the Hôtel de la Paix;
- Mr. Epiphane Kavégué, engineer at the Radio-Lomé broadcasting station;
- Mr. Alexandre Adékambi, owner of the house, hotel manager;
- Mr. Pierre Bakéla, former soldier who had taken refuge in Ghana;
- Mr. Sokékou Améwolon, former soldier who had taken refuge in Ghana;
- Mr. Koudjo Georges Sakey;

*** The secretariat of the Centre for Human Rights has numbered the paragraphs of the report of the Togolese League for Human Rights from (1) to (26) in order to make it easier to read.

- Mr. Edoh Kokou Kodjo;

- Mr. Tchao Kodjo Ange Maboudou, Donto-Rogeat representative in the Camaa Company;

- Mr. Kossi Nicolas Adzra, mechanic to whom Mr. Claude Amoussou-Doh took vehicles to be repaired. The latter was arrested at the beginning of March and confined in the military ward of the University Hospital Centre (CHU), suffering from pneumonia. It is alleged that he was ill-treated in order to make him confess.

(5) It should be pointed out that a warehouseman and a salesman of the Camaa Company, as well as the younger brother, Bruno, and the elder sister, 'da B', of Claude Amoussou-Doh, were arrested and ill-treated the same day in order to extract confessions from them. They were released several hours later.

(6) 31 March 1995: death from knife wounds in Aflao-Akato Démé of Mr. Kossi David Akakpo, lawyer's clerk in the chambers of Maître Robert Ahlonko Dovi, former President of the Bar Council and former President of the National Commission on Human Rights, who had taken refuge in Benin.

(7) 3 April 1995: unsuccessful search of the premises of the private radio station Kanal Plus 'to try to find a cassette', in the words of the policemen who carried out the operation.

(8) 4 April 1995: armed robbery carried out at the branch of the Togolese Union Bank (UTB) in Aného, a town located 45 km to the east of Lomé on the Togo-Benin border. This robbery was followed by the murder of the branch manager, Mr. Yao Adjeglo, his bodyguard and his gardener. The branch manager's chauffeur was seriously injured. One of the criminals was killed, while the other, Mr. Akouété Gbadago, a professional soldier and member of the Rapid Intervention Force (FIR), was arrested and imprisoned.

(9) 12 April 1995: heavy gunfire in the middle of the night in Akato, a village situated close to Ségbé on the Togo-Ghana border, followed by a raid by members of the National Gendarmerie. The latter ransacked the house of Mr. Alphonse Massémé Kokouvi, the former Minister of Local Planning, who had been a refugee in Ghana since the events of 3 December 1991.

(10) 5 May 1995: illegal arrest and detention in the Lomé civil prison of Mrs. Schneider, an employee of the State Inspectorate, and of a friend of her son in place of the latter, who is alleged to have attacked some teachers having financial problems with his mother. They were released several weeks later.

(11) 7 May 1995: the minister of the Evangelical Church in the village of Akato, Mr. Assimate, was publicly beaten and manhandled by members of the Togolese Armed Forces during a punitive expedition in that village. It is alleged that before withdrawing the group seriously threatened the population with extermination.

(12) 8 May 1995: armed robbery of a vehicle (a Mazda 626) belonging to Mr. Boevi, commercial manager of the Brasserie du Bénin. The two robbers were killed by the security forces in Aného.

(13) 11 May 1995, at about 6.45 p.m.: hold-up in front of the Biassa Clinic. Two armed men fired in the air and seized the Nissan Patrol four-wheel drive vehicle belonging to Mr. Amédomé, the Minister of Health.

(14) 11 May 1995: armed robbery of a Toyota Corolla belonging to the local representative of Ethiopian Airlines.

(15) 12 May 1995: trial of the persons arrested on 30 March 1995 for importing and stockpiling illegal arms, and for criminal association. Following its deliberations, the court handed down the following sentences:

- Pierre Gbaleboa Bakéla (aged 39), Koudjo Georges Sakey (aged 28) and Kodjo Lambert Koffi (aged 34): five years' imprisonment and a fine of 360,000 CFA francs;

- Edho Kokou Kodjo, Kodjo T. Ange Maboudou (aged 34), Claude Amoussou-Doh (aged 35) and Sokékou Améwolon (aged 31): five years' imprisonment;

- Kokou Epiphane Kavégué (aged 35): four years' imprisonment, and Kossi Nicolas Adzra: three years' imprisonment.

The irregular nature of the procedure followed was unsuccessfully challenged by the defence lawyers.

(16) 13 May 1995, about 3 p.m.: armed individuals in a vehicle opened fire on members of the Togolese Armed Forces and the security forces on duty on national highway 2 linking Lomé to Kpalimé, in particular at Bagbé and Amoussoukope, killing seven people, including two children at Assahoun, three gendarmes and seriously injuring two people with gunshot wounds. The official communiqué only reported four deaths.

(17) 17 May 1995, about 9 p.m.: the Lankouvi checkpoint not far from the customs post at Segbé (a northwest suburb of Lomé) was attacked by unidentified armed men, wounding at least four soldiers.

(18) 18 May 1995: attack on a checkpoint of the Togolese Armed Forces at Tokoin Casablanca (Lomé) near the Hotel Todman by unidentified armed men, killing at least three soldiers.

(19) 19 May 1995, at dawn: a taxi driver driving his vehicle out of a garage next to the 'Ma Vallée' bar was shot down in cold blood by members of the Togolese Armed Forces on frontier guard duty, who claim to have been suddenly woken up by the noise and lights of the vehicle.

(20) 24 May 1995, about 8 a.m.: a loud explosion occurred in the parking lot of the Centre administratif des services économiques et financiers (CASEF), causing considerable material damage.

(21) 24 May 1995: detention in the Vogan civilian prison of Mr. Bossou, a biology teacher at the Vogan Lycée, who had previously been harassed by several guards of the local prefecture following an altercation on 22 May 1995.

(22) 26 May 1995, about 9 p.m.: the driver (called Ibrahim) of Mr. Améwusika Tovor, an agronomist at the Service de la protection des végétaux (Plant Protection Unit) in Cacavéli was shot down in cold blood by soldiers on duty while at the wheel of his employer's car opposite the Hotel Sarakawa.

(23) 31 May 1995, about 8.45 p.m.: arrest and detention by the Lomé local gendarmerie of Mr. Komi Djanta, a driver at the Lomé-Kpalimé bus station, for possession of stolen goods for which Mr. Djanta could not account. He was not released until 7 June 1995.

(24) 1 June 1995, about 4 p.m.: for having failed to obey an order to stop, a motorcyclist riding without a helmet was knocked off his motorcycle by members of the security forces on duty at the crossroads at the Bè market in Lomé. The motorcyclist later died from his injuries.

(25) 1 June 1995, during the night: a motorcyclist and his passenger were shot down in cold blood by members of the security forces patrolling near the Raffinerie togolaise on the Lomé-Aného international highway for, it appears, failure to observe security checks.

(26) Night of 1-2 June 1995: members of the security forces on duty near the Lomé Autonomous Port fired on a Ben lorry loaded with bags of charcoal, which, it is alleged, failed promptly to obey their order to stop, seriously wounding one of the learner drivers, Mr. Dzakpata."

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ADVISORY SERVICES IN THE FIELD OF HUMAN RIGHTS

Technical cooperation in the field of human rights

Report of the Secretary-General

Introduction

1. The World Conference on Human Rights recognized the importance of technical cooperation programmes aimed at strengthening democratic institutions, the rule of law and national human rights infrastructures. The United Nations Technical Cooperation Programme has been given specific new and wide-ranging responsibilities in helping Member States to make substantive progress on the road to the full realization of human rights and fundamental freedoms.

2. The High Commissioner for Human Rights has endeavoured to strengthen to the extent possible technical cooperation programmes, including the promotion of democratic institutions, development and human rights, human rights support to parliament, constitutional assistance, human rights training for peace-keeping operations and international civil servants, support to non-governmental organizations, and the civil society, assistance with legislative reform and in the administration of justice, strengthening national human rights institutions, assistance for the conduct of free and fair elections, training of police and prison officials, and assistance on specific human rights issues, including the implementation of comprehensive national plans of action for the promotion and protection of human rights, popular participation in decision-making and implementation of projects relating to economic, social and cultural rights, including the right to development.

3. The High Commissioner for Human Rights is mandated by the General Assembly (resolution 48/141, para. 4 (d)) to provide advisory services and technical and financial assistance with a view to supporting actions and programmes in the field of human rights. The High Commissioner has established that the particular focus of the programme must be on countries or regions that have just started or are starting the transition to democracy; that priority consideration has to be given to requests for cooperation with respect to programmes that strengthen the national capacity or infrastructures for the promotion and protection of human rights and that are of a duration which would ensure long-term positive results. The High Commissioner believes that implementation through United Nations human rights field staff can greatly facilitate the success of those programmes.

4. Essential aspects in the determination of possible programmes of technical cooperation that the High Commissioner provides to Member States at their request are: specific recommendations made by United Nations human rights experts within the various treaty bodies; recommendations by the Commission on Human Rights and its mechanisms, including the representatives of the Secretary-General as well as the special rapporteurs on thematic or country situations and the various working groups; the recommendations made by national human rights institutions and national and international NGOs; the recommendations of the Board of Trustees of the Voluntary Fund for Technical Cooperation.

5. The programme of technical assistance in the field of human rights must be the result of individual and collective efforts within the United Nations Secretariat and the United Nations system. This requires a permanent dialogue with those agencies and programmes most directly concerned so as to enhance the efficiency and effectiveness of the programme and avoid unnecessary duplication. In the realization of the programme, it is equally essential to work closely with regional organizations such as the Council of Europe, the Organization of African Unity and the Commission on Human and People's Rights, the Organization of American States and the Inter-American Commission, the Organization for Security and Cooperation in Europe, etc., in connection with the implementation of technical cooperation projects within specific regions. Furthermore, the High Commissioner is exploring with the United Nations Development Programme and major financial institutions, including the World Bank, how best to cooperate in the field in connection with programmes concerning human rights and the rule of law.

6. The Centre for Human Rights has strengthened the technical cooperation part of its programme through the appointment of a coordinator for the Voluntary Fund for Technical Cooperation who is an expert in the field and who has been made available from UNDP as a result of an agreement of cooperation. Quarterly status reports on the Voluntary Fund are prepared by the coordinator and made available to Member States. In the context of the Policy Advisory Board, the High Commissioner has decided to regularly examine the requests for technical cooperation in the field of human rights and the status of approved programmes and to review priorities among projects of technical assistance and define medium and long-term objectives for enhancing cooperation with United Nations programmes and agencies as well as with regional and national organizations and NGOs.

7. Cooperation and coordination in the provision of human rights technical cooperation programmes by the United Nations system must be a permanent item of review in inter-agency relations in order to facilitate the exchange of timely information and greater efficiency in programme delivery within the United Nations.

8. Programmes of technical cooperation are approved by the High Commissioner following the advice provided by the Board of Trustees of the Voluntary Fund. The Assistant Secretary-General for Human Rights ensures the implementation of those programmes by the Advisory Services, Technical Cooperation and Information Branch or partners within and outside the United Nations system. Following a steadily increasing number of requests for assistance by Governments, the number of activities implemented by the Centre for Human Rights has grown dramatically in recent years. This has led to increasing attention being paid to improving the quality of the projects carried out under the programme.

9. Several programme development initiatives are under way to produce manuals, handbooks and modules to support the training activities of the programme. These are for future audiences of judges and lawyers, prison personnel, armed forces, teachers and human rights monitors involved in United Nations field operations. The High Commissioner has worked closely with the Board of Trustees to ensure optimum financial administration and management of the Voluntary Fund for Technical Cooperation in the Field of Human Rights. Expenditures are carefully monitored and information about contributions is compiled and regularly reported to donors.

10. There is great potential for technical cooperation initiatives offered under the programme and continued efforts will be made to enhance their delivery and impact on strengthening the national human rights capacities of Member States.

11. The United Nations programme of technical cooperation in the field of human rights, which celebrated its fortieth anniversary in 1995, provides practical assistance for the building of national and regional human rights capacities. Programme components focus on the incorporation of international human rights standards into national laws and policies, and on the building or strengthening of national institutions capable of protecting and promoting human rights and democracy under the rule of law. Such assistance includes provision of expertise, advisory services, training courses, workshops and seminars, fellowships, grants and the provision of information and documentation. In 1995, the programme maintained its role as the sole comprehensive United Nations programme of support to Governments and the civil society in human rights, democracy and the rule of law.

12. Technical cooperation programmes are developed in close cooperation with Governments of the countries concerned and the United Nations agencies present in those countries. Implementation of more complex projects require the presence of project experts based in those countries.

13. The present report responds, in succession, to the paragraphs of Commission on Human Rights resolution 1995/53.

Assistance to States in 1995 (para. 1)

14. In the period covered by this report activities were implemented in 36 countries. In addition, 19 countries benefited from the 1995 fellowship programme. Supplementing that in 1995 were 13 global programme development activities; 2 interregional project formulation activities; 4 regional projects and 4 regional project formulation activities. Projects were formulated in 1995, or requests acted upon, for implementation in 1996 for an additional 15 countries. Full details are provided in the table at annex I.

15. Thus, without regard to fellowships and programme development activities, the figure of 215 implemented activities demonstrates the continuing growth of the programme. Illustrative of this is the fact that, in 1984, the programme implemented only 2 activities; in 1989, 37 activities; in 1994, 130 activities and, finally, in 1995, 215 activities.

Clearly Defined Objectives and Themes (para. 2)

16. Programme objectives. As noted, the United Nations programme of technical cooperation in the field of human rights celebrated its fortieth anniversary in 1995, having been established pursuant to General Assembly resolution 926 (X) of 14 December 1955 (as "advisory services in the field of human rights"), which authorized the Secretary-General to make provision at the request of Governments, and with the cooperation of the specialized agencies where appropriate, for the following forms of assistance with respect to the field of human rights: (a) advisory services of experts; (b) fellowships and scholarships; and (c) seminars. Regional and national training courses were added in 1967 and 1986 respectively.

17. The Voluntary Fund for Advisory Services and Technical Assistance in the Field of Human Rights (subsequently renamed the Voluntary Fund for Technical Cooperation in the Field of Human Rights) was established by the Secretary-General on 16 November 1987 pursuant to Commission on Human Rights resolution 1987/38 and Economic and Social Council decision 1987/147. The objective of the fund is to provide additional financial support for practical activities focused on the implementation of international conventions and other international instruments on human rights promulgated by the United Nations, its specialized agencies or regional organizations. Based on relevant resolutions of the Commission on Human Rights, practical activities to be financed by the Voluntary Fund include: (a) support for international cooperation aiming at building up and strengthening national and regional institutions and infrastructures which will have a long-term impact on improved implementation of international conventions and other international instruments on human rights promulgated by the United Nations, the specialized agencies or regional organizations (resolution 1992/80, para. 16); (b) expert and technical assistance to Governments with a view to creating and developing the necessary infrastructures to meet international human rights standards (resolution 1990/59, para. 5); (c) projects and programmes that can play a catalytic role in the practical realization of internationally recognized human rights standards (resolution 1990/59, para. 7); (d) projects for legal protection and the strengthening of the independence of the judiciary

(resolution 1992/80, para. 23); and (e) comprehensive needs assessments and overall country programmes containing specific projects aimed at strengthening the human rights infrastructure of a country (resolution 1993/87, para. 13).

18. While the resolutions cited above refer specifically to projects financed under the Voluntary Fund, their content is equally descriptive of projects funded from other sources as well. Consistent with Commission on Human Rights resolutions 1993/87, 1994/69 and 1995/53, all activities under the programme are carried out within the common context of the comprehensive programme of technical cooperation described in this and previous annual reports of the Secretary-General.

19. In addition, throughout the Vienna Declaration and Programme of Action, the World Conference on Human Rights recognized the importance of technical cooperation for human rights, called for enhancement of the programme and provided further guidance on the profile of the programme. Of particular relevance to the programme are the over 30 references relating to technical cooperation contained in the Vienna Declaration and Programme of Action, as summarized in the report of the Secretary-General to the Commission on Human Rights at its fiftieth session (E/CN.4/1994/78, paras. 12-24).

20. For example, the Vienna Declaration calls for the implementation of coherent and comprehensive plans of action at the national level for the promotion and protection of human rights through the establishment of a comprehensive United Nations programme. The advisory services and technical assistance programme, according to the Vienna Declaration, should be strengthened. It further states that the Centre should make available to States, upon request, technical and financial assistance, in particular for the elaboration and implementation of coherent and comprehensive plans of action. These plans of action would integrate activities aimed at: (a) strengthening the institutions of human rights and democracy; (b) reforming penal and correctional establishments; (c) the legal protection of human rights; (d) education and training of officials, lawyers, judges, security forces and others in human rights; (e) broad-based education and public information for the respect of human rights; (f) other activities relevant to the good functioning of the rule of law (Part II, paras. 68-70).

21. While the programme occasionally provides grants for the support of projects initiated by Governments, regional human rights organizations and NGOs, it is not, in the first instance, a funding source for projects developed outside of the Centre. It is rather a source of substantive advice and assistance in the field of human rights, framed in a comprehensive programme which cooperates with Governments, at their request, and with other national partners.

22. Project objectives. At the level of particular projects, and in keeping with the logical framework method of project formulation, each project is designed to serve an expressly identified set of immediate objectives, which in turn contributes to the overall (long-term) development objective of a project. Objectives are accompanied by particular outputs, activities and inputs. Thus, a chain of logic is established to inform the formulation, implementation, monitoring and evaluation of each project, connecting clearly set objectives with required inputs.

23. Themes. The programme has evolved since its inception, based upon resolutions of the General Assembly, the Economic and Social Council and the Commission on Human Rights, as well as upon the nature of requests of Member States, to include 20 substantive themes: national plans of action for human rights, constitutions, elections, legislative reform, national human rights institutions, law enforcement, the judiciary, the armed forces, conflict resolution, parliament, curriculum development, teacher training, treaty reporting and international obligations, non-governmental organizations and civil society, the mass media, information and documentation, regional institutions and arrangements, human rights support in peace-keeping and human rights training for international civil service, national needs assessment and the annual United Nations Human Rights Fellowship Programme.

24. Programme research and development refers to work directed to the substantive formulation and improvement of each of the various components, or themes, which make up the programme. The research and development process begins with the periodic review of existing components and of relevant resolutions of United Nations political and expert bodies, as well as of new trends contained in requests from States, in order to identify areas in need of strengthening, as well as new areas to be added to the programme. Through internal research and study, consultation with external experts, the drafting of programme frameworks, the contracting of temporary consultants, the convening of expert meetings, and the drafting of manuals and handbooks, the process seeks to create a readily accessible, well-developed and documented record of the substance of each component.

25. Well-prepared components can then be delivered through programme operational activities, without the need for ad hoc substantive preparation with each successive project. The programme thereby realizes benefits both in terms of resource efficiency and in the substantive quality of assistance delivered. Furthermore, components which are recorded, in terms of both substance and approach, through model programmes, handbooks and manuals, may be more readily evaluated and revised, as needs dictate. Finally, the materials developed under programme development activities can be more easily disseminated (in the form of manuals, handbooks, training modules and model programmes), thus furthering the reach of the programme.

Precise needs of beneficiaries (para. 2)

26. All projects, as a matter of policy and practice, are now tailored to the precise needs of beneficiaries. The Centre, in most cases, responds to a Government's request by conducting an assessment of that country's particular human rights assistance needs. Assistance programmes are then designed to address those needs in a comprehensive and coordinated way. The Centre for Human Rights directly implements all projects for which it has a unique or specific competence, drawing on the expertise developed by its staff in those areas and, as needed, on outside experts and institutions, and can serve as a focal point and coordinator for other programme elements relating to the human rights needs of the country involved. In the period covered by this report, 13 needs assessment missions were conducted.

Follow-up (para. 2)

27. Under the current approach of the programme, most projects represent longer-term actions, typically of two to four years in duration. This is in contrast to earlier (pre-1992) approaches, whereby single, ad hoc activities of one or two weeks in duration were the norm. This longer-term approach, facilitating project follow-up, is further evidenced by the evolving trend toward the deployment of expert project personnel for the duration of projects in the field, including, in 1995, in Burundi, Cambodia, Malawi, Mongolia and Rwanda. In 1996, additional expert personnel are projected to be deployed in Gaza, the Caucasus. With the adoption of the logical framework method of project formulation and the new project cycle management guidelines of the Centre, regular project monitoring forms a standard component of all projects, from the point of initiation to the point of conclusion. At the conclusion of large projects, evaluations are conducted and appropriate post-project follow-up action is proposed. Finally, follow-up forms an integral part of the Centre's approach to human rights training; training programmes are therefore based upon a "train the trainers" approach, and include follow-up support to designated national trainers.

Evaluation (para. 2)

28. As a part of its new project cycle management methodology, and as noted above, the Centre carries out post-project evaluations to gauge the impact of projects, to learn lessons for future activities, and to formulate follow-up proposals. Evaluations are projected from the moment of project formulation and included in project work-plans. This practice is now applied as a matter of standard policy to new projects, and such evaluations have already been carried out in Romania, at the Arab Institute for Human Rights in Tunisia, in Burundi and in Colombia. Periodic evaluation is carried out through project monitoring, through knowledge testing and impact assessments following training courses, and through on-site missions.

Recommendations from treaty bodies, special rapporteurs and working groups (para. 3)

29. Technical cooperation activities including advisory services may be seen as a complement to, but never a substitute for, the monitoring and investigating activities of the human rights programme. As emphasized in previous reports of the Secretary-General on the subject, and in Commission on Human Rights resolution 1995/53, the provision of technical cooperation programmes does not in any way reduce a Government's responsibility for accountability on the human rights situation and, whenever applicable, would not exempt it from scrutiny through the various monitoring procedures established by the United Nations. Indeed, action by special rapporteurs of the Commission on Human Rights often takes place in parallel with technical cooperation projects.

30. United Nations human rights treaty bodies often make recommendations for technical cooperation in the course of their periodic reviews of State party reports. While a request from the Government concerned remains the necessary "trigger" for the commencement of technical cooperation, such recommendations

can help to encourage States to submit such requests and the review process of the Committees is a valuable tool for helping to identify appropriate areas of assistance such as in Rwanda, Burundi and Haiti.

31. Committees also hold general discussions on human rights issues relevant to the terms of the various conventions and, in the process of considering State party reports, agree on concluding observations. Some adopt general comments as a matter of practice. This valuable official guidance on the normative implications of the conventions then becomes a part of the substance of the Centre's advice to recipient countries and informs its programme development process.

Human and financial resources (para. 4)

32. The technical cooperation programme is funded from the regular budget of the United Nations, and from the United Nations Voluntary Fund for Technical Cooperation in the Field of Human Rights, which began operating in 1988 and to date has received over 18 million dollars in pledges and contributions. In addition to financing from the regular budget and the Voluntary Fund, specific projects are sometimes funded by the Centre's partners in the United Nations system.

33. Whatever the source of funding, projects are implemented within the common context of a single unified and comprehensive programme, administered by the Centre for Human Rights. While, consistent with resolutions of the Commission on Human Rights, a distinction is maintained between activities financed under the regular budget and the Voluntary Fund for purposes of accountability, reporting and budgetary information, the common substance and policy of the programme remain.

34. As noted, the High Commissioner is mandated, under General Assembly resolution 48/141, to provide, through the Centre for Human Rights, advisory services and technical assistance at the request of States, and, where appropriate, regional human rights organizations, with a view to supporting actions and programmes in the field of human rights, and to coordinate human rights protection and promotion activities throughout the United Nations system. In the 1985 report of the Secretary-General (E/CN.4/1985/36), a total of two activities were reported for the preceding year. In the 1989 report (E/CN.4/1989/42), it was 37. In the 1995 reports (E/CN.4/1995/87 and Add.1 and E/CN.4/1995/89 and Add.1), the number exceeded 150. As indicated in the present report, that trend of enormous growth has continued, with 215 activities implemented. While staffing levels and available financial resources (especially with the growth of the Voluntary Fund) have increased, they have not done so at a rate sufficient to meet current and projected demands.

35. In fact, in spite of the dramatic increase in requests for assistance under the programme in recent years, the financial resources available for its implementation have remained inadequate, under both the regular budget allocation of the United Nations and the Voluntary Fund for Technical Cooperation in the Field of Human Rights. The recently adopted comprehensive approach of the programme is based upon a recognition of the critical links between various national institutions, legal infrastructures and educational

activities, and their interrelated impact on efforts to advance the protection of human rights under the rule of law. While this development has increased the value of such programmes to countries receiving them, it has at the same time stretched resource demands beyond current capacities. Consistent with the conviction expressed by the General Assembly that "the programme should be able to provide, upon the request of the interested Government, technical and financial assistance for the implementation of national plans of action as well as specific projects for the reform of penal and correctional establishments and the education and training of lawyers, judges and security forces in human rights, and any other sphere of activity relevant to the good functioning of the rule of law" (resolution 48/132, para. 2), substantially increased funding must be made available to the programme, which now faces a backlog of requests which exceed its financial capacity.

Contributions to the Fund (para. 5)

36. During the course of 1995, the Voluntary Fund for Technical Cooperation received pledges and contributions in the amount of $8,191,907. This amount includes, however, pledges of $1,483,044 which were made for 1994 activities in 1994, as well as the contributions of $976,480 which are tied for two experts to support activities of the High Commissioner/Centre for Human Rights. Therefore, funds to cover 1995 activities in fact amount to $5,732,383. As an annual total, however, this amount still represents a significant increase in comparison with previous years when the highest amount recorded was $2,825,860.

Long-term impact of projects (para. 6)

37. Projects designed and implemented under the programme are, in most cases targeted for long-term impact. In this sense, emphasis is placed on capacity-building, institutional strengthening and sustainable reforms. Projects are assessed according to a key objective which aims at the eventual obsolescence of external support. Human rights training is directed to national professional trainers, who are then charged with continuous dissemination of the imparted knowledge and skills at the national level. Single, ad hoc actions are now exceptional, as longer-term engagements make up the majority of project profiles. Under the logical framework approach to project formulation adopted in 1995 and the new methodology of the Centre for management of the project cycle, all projects are based upon clearly defined immediate and long-term objectives and include plans for project monitoring, review, evaluation and pre-identified indicators of success.

Efficient management of the Fund (para. 7)

38. The Commission on Human Rights, in its resolution 1993/87, requested the Secretary-General to appoint a board of trustees to assume the administration of the Fund. On 17 December 1993, the Secretary-General announced the appointment of the following members of the Board: Ms. Anne-Marie Lizin (Belgium); Mr. Kinhide Mushakoji (Japan); Mr. Luis Pérez Aguirre (Uruguay); Mr. Krzysztof Skubiszewski (Poland); and Dr. Leila Takla (Egypt). The Board, which serves in an advisory capacity to the Secretary-General, was fully constituted in the first quarter of 1994, and held its first meeting from 28 February to 4 March 1994 at Geneva. The second meeting of the Board was

convened at Geneva from 7 to 10 November 1994, the third from 20 to 24 March 1995 and the fourth, also at Geneva, from 30 October to 3 November 1995. The fifth meeting of the Board is scheduled to take place from 19 to 22 March 1996.

39. In 1995, a new full-time Coordinator of the Voluntary Fund was appointed, as well. The Coordinator, a senior officer seconded to the Centre for Human Rights by UNDP, has worked since June 1995 towards the strengthening of the Fund's administration and management. Additional information on the management of the Fund is provided in the report of the fourth session of the Board of Trustees of the Voluntary Fund, which is available to the Commission.

Strict and transparent project management rules (para. 7)

40. Guidelines adopted in 1995 (all of which are available for consultation in the files of the Secretariat) include (a) standard terms of reference for needs assessment missions; (b) standard terms of reference for project formulation missions; (c) standard terms of reference for project evaluations; (d) standard content and format for project documents; (d) standard format for project briefs; (e) standard format for project fact sheets.

41. The Centre adopted, in 1995, the "logical framework method" of project formulation, the leading methodology for development assistance projects now being used by most major actors in the field of technical cooperation. Handbooks on the management of the project cycle were developed by the programme in cooperation with the International Labour Organization Training Centre at Turin, and, through two separate one-week training workshops, all Professional staff were trained in the methodology. Subsequently, all projects submitted for review to the Board of Trustees of the Voluntary Fund, and for ultimate approval by the Organization, were formulated according to the new guidelines. All project management guidelines, handbooks and materials are available for review in the files of the Secretariat.

Periodic evaluations of the programme and projects (para. 7)

42. See paragraph 28, supra.

Dissemination of evaluation results (para. 7)

43. The results of project and programme evaluations are recorded in reports compiled by assessment teams. These reports are shared with national counterparts, donors and other interested parties. They are used, as well, to inform the development of the programme, through lessons learned from the implementation of the projects evaluated. Reports on evaluations undertaken are available for reference in the files of the Secretariat.

Financial accounting reports (para. 7)

44. An annual financial report of the Voluntary Fund is attached at annex II. A table of contributions to the Fund is contained in annex III. Additional information is contained in the report of the fourth session of the Board of Trustees of the Voluntary Fund. According to the balance sheet as of 30 September 1995 (see the annex to the report of the fourth session of the

Board of Trustees), the total programming resources of the Voluntary Fund amounted to $7.3 million, while $3.6 million were available for all project proposals to be reviewed during the fourth session (amounting to $10 million in projected expenditures).

Annual information meetings (para. 7)

45. An information meeting on the technical cooperation programme, on the status of the Voluntary Fund and on current activities was held at Geneva on 21 February 1995. Interested Member States, including donor representatives and recipients, were invited to attend, were provided with information materials and were provided an opportunity to discuss the programme with the High Commissioner for Human Rights, the Assistant Secretary-General for Human Rights, members of the Board of Trustees, and management and staff of the programme.

Activities of the Board (para. 8)

46. The Board held its third and fourth session at the United Nations Office at Geneva from 31 October to 3 November 1995 and March 1995, respectively. A meeting with contributors to the Voluntary Fund was organized on 31 October 1995, concurrently with the opening of the third session. The High Commissioner for Human Rights and the Assistant Secretary-General for Human Rights addressed the Board and the representatives of contributing Governments. The fourth session was attended by all members of the Board.

Recommendations of the Board (para. 9)

47. Taking into account the total estimated cost of projects endorsed during the fourth session of the Board of Trustees ($10 million), the Board considered that it was necessary to prioritize the projects to be funded. The Board agreed in principle that the following categories of endorsed projects should be given priority in terms of their financing: projects which complement other initiatives or constitute an integral part of a large programme, financed by different bi- or multilateral donors; projects which were reviewed previously and given favourable response by the Board; projects responding to the specific mandates of the High Commissioner for Human Rights (e.g. United Nations Decade for Human Rights Education) or to a special programme actually developed by the Centre for Human Rights (e.g. human rights training for military officers); projects addressing issues relating to the mandates emanating from the Vienna Declaration and Plan of Action.

48. The Board also recommended that the existing administrative and financial procedures of UNDP and other agencies providing technical cooperation be applied mutatis mutandis to the technical cooperation projects financed under the Voluntary Fund for Technical Cooperation.

49. Projects endorsed by the Board at its last session included: (a) ARM/95/AH/11 (Armenia) "Strengthening capacities and infrastructure for human rights protection and promotion"; (b) AZE/95/AH/12 (Azerbaijan) "Strengthening capacities and infrastructure for the human rights protection and promotion"; (c) GEO/95/AH/13 (Georgia) "Strengthening capacities and infrastructure for human rights protection and promotion"; (d) ARG/95/AH/23

(Argentina) "Strengthening human rights"; (e) PAR/95/AH/5 (Paraguay) "Preparatory assistance for the elaboration of a national plan of action for the promotion of human rights"; (f) ELS/95/AH/10 (El Salvador) "Training and documentation for the strengthening of human rights" and ELS/95/AH/28 (El Salvador) "Strengthening police capacity in complying with human rights standards"; (g) BHU/95/AH/20 (Bhutan) "Strengthening of the system of administration of justice and national capacity for reporting under international human rights instruments"; (h) TOG/95/AH/18 (Togo) "Assistance technique pour la promotion et la protection des droits de l'homme; sensibilization et formation d'une culture démocratique et la création d'un Etat de droit"; (i) NEP/95/AH/21 (Nepal) "Strengthening of national institutions and civil society"; (j) PAL/95/AH/24 (Palestine) "Support for the strengthening of the rule of law in Palestine"; (k) GLO/95/AH/16 (global) "Support to the implementation of the United Nations Decade for Human Rights Education"; (l) HAI/95/AH/3 (Haiti) "Reinforcing the intervention capacity of the State organs"; (m) RWA/95/AH/30 (Rwanda) "Training programme in human rights for regional military commanders of the Rwandese Patriotic Army"; (n) AFR/95/AH/23 (Africa) "Regional training in human rights for heads of military academies in Africa - Addis Ababa"; (o) INT/95/AH/22 (interregional) "Human rights training for heads of military academies from African Lusophone and CIS countries"; (p) GLO/95/AH/31 (global) "Global training programme in human rights for the armed forces"; (q) LAT/95/AH/17 (Latvia) "Capacity development of the National Human Rights Office"; (r) MLW/94/AH/14 (Malawi) "Consolidation of the democratic process".

Assistance to the Board from the Secretary-General (para. 10)

50. Full secretariat assistance is provided to the Board of Trustees by the Centre for Human Rights on an ongoing basis. A full-time Coordinator of the Fund has, as noted above, been retained and serves as the Board's secretary.

Government-NGO cooperation (para. 11)

51. The Centre encourages the full involvement of non-governmental organizations as crucial partners in the development and delivery of technical cooperation. NGOs both assist in the delivery of assistance, and benefit as recipients of it. Thus, in furthering the programme's goal of strengthening civil society, the Centre is increasingly being called upon by Governments and others to provide assistance to national NGOs, in the context of its country activities, by soliciting their input, including them as invitees to seminars and training courses, and supporting appropriate projects developed by them. In these ways, the programme is able to contribute to the development of the capacity of national NGOs to assume more effectively their crucial role in democratic society. NGOs also interact with the programme by contributing their considerable expertise at both the needs assessment and implementation phases.

52. Increasingly, country-specific projects developed by the Centre in partnership with recipient countries involve components targeted directly to assisting non-governmental human rights groups, women's organizations, labour

organizations, and other key actors in civil society. The goal of such projects is to strengthen the capacity of such organizations to fulfil their legitimate and important role in generating a vigilant, continuous, informed and effective domestic demand for human rights and fundamental freedoms.

53. The Centre has also developed training tools and expertise which will conclude with the publication in 1996 of Human Rights and NGOs: A field manual for national and local non-governmental human rights organizations. The manual, based upon the Centre's approach to human rights training, will be issued as part of the Professional Training Series of the technical cooperation programme, and will guide the Centre's advice and training in this area. Modules included in the manual will include: (a) Introduction to human rights advocacy; (b) The rights and responsibilities of human rights defenders; (c) Knowing international human rights systems; (d) Understanding international human rights instruments; (e) Accessing international human rights procedures; (f) Effective organizing; (g) Successful fund-raising; (h) Using the mass media; (i) Networking with other organizations; (j) Human rights campaigning; (k) Individual advocacy; (l) Human rights research tips; (m) Human rights education and training; (n) Investigating, fact-finding and monitoring; (o) Relations with Governments.

Role of the High Commissioner for Human Rights (para. 13)

54. In his ongoing consultations with Governments, and during official visits to Member States, the High Commissioner encourages national partners to avail themselves, where appropriate, of the services of the technical cooperation programme of the Centre. To this end, the High Commissioner concluded a series of memoranda of intent for technical cooperation with a number of countries in 1995, has appealed to donors for support to the programme, and has worked towards the strengthening of its management and functioning.

High Commissioner's consultations with United Nations partners (para. 14)

55. The High Commissioner has, as well, continued his efforts to consolidate and coordinate system-wide efforts for the provision of assistance to democratization, human rights and the rule of law. In 1995, the High Commissioner consulted with the heads of all United Nations agencies and programmes engaged in technical cooperation activities, initiated or concluded a number of memoranda of understanding with them, and emphasized the importance, consistent with his mandate, of truly system-wide cooperation in the strengthening of national human rights infrastructures.

Cooperation with UNDP (para. 15)

56. The programme's principal partner in the United Nations system, at the level of operations, is UNDP. Crucial coordination and in-country logistical support for the Centre's projects are traditionally provided by UNDP, through its network of field offices.

57. In 1995, the Centre worked towards the integration of its projects into larger, multi-agency action, consistent with the Organization's endorsement of the "programme approach" as a common United Nations framework for development assistance (see doc. E/1993/73). This approach, identified as a policy goal

of the Organization, seeks, inter alia, to support the elaboration of a comprehensive national strategy and programme framework into which may be integrated a coherent and coordinated United Nations system response, especially in terms of substantive support. The programme approach refers to the pursuit of national development goals through cohesive national programmes, permitting United Nations system inputs to be merged with national and other external inputs in support of programmes that have been conceived by the host country with such external assistance as it may seek. Recognizing that this requires coordinated planning among United Nations agencies and programmes, the Organization has strengthened the resident coordinator system. In most cases, the UNDP resident representative serves as the United Nations resident coordinator. Also, as noted above, UNDP provided, on a non-reimbursable basis, a coordinator for the Voluntary Fund, who is working to strengthen the administration of the Fund.

Inventory of available human rights assistance (para. 16)

58. In a letter dated 21 September 1995, the High Commissioner for Human Rights requested all United Nations agencies and programmes to share information on assistance available under their programmes for supporting human rights, democracy and the rule of law. The High Commissioner, in the same letter, solicited advice and information from the heads of the various organizations on how they might contribute to the technical cooperation work of the Centre for Human Rights. A number of responses have been received by the High Commissioner, who has, as well, initiated an ongoing dialogue with the various partners in the United Nations system.

59. In 1996, the Centre will follow the High Commissioner's inquiries with a broader inventory of available assistance, to encompass all multilateral and bilateral actors in the field. The results of these enquiries will be consolidated by the Centre into a single inventory of available human rights assistance, and will be included in the report of the Secretary-General to the Commission on Human Rights at its fifty-third session.

Annex I

TABLE OF ACTIVITIES AND REQUESTS FOR 1995

Country/Region	Activities	Funding source	Date/Place	Notes
Albania	Planning for final phase of project	Voluntary Fund	1992-1995, Tirana	The project, which commenced in 1992, will conclude in early 1996 with support for the establishment of a documentation and research centre and, finally, an independent project evaluation
Argentina	Support to human rights centre; training course for police officials and trainers; request from Government for assistance in development of national plan of action; second course for police officials	Voluntary Fund	Buenos Aires/ Geneva 1995; June 1995; August 1995; August 1995	New project to be implemented during 1996-1997
Armenia	Project formulation following from needs assessment conducted in 1994	Voluntary Fund	1995, Geneva	Two-year multi-component project scheduled for 1996-1997
Azerbaijan	Project formulation following from needs assessment conducted in 1994	Voluntary Fund	1995, Geneva	Two-year multi-component project scheduled for 1996-1997
Belarus	Request from Government received based upon needs assessment conducted in December 1994	Voluntary Fund	1995, Geneva	A project will be formulated in 1996, based upon the CHR/UNDP needs assessment

Country/Region	Activities	Funding source	Date/Place	Notes
Benin	Mission to advise on draft criminal procedure code; fellowships for Government officials; workshop on the rights of prisoners and detainees; workshop on human rights in formal education for primary and secondary school teachers, directors and curriculum developers; workshop for journalists and broadcasters on human rights and the mass media	Voluntary Fund	February 1995, Cotonou; June-July 1995, Geneva/Strasbourg; May 1995; November 1995; December 1995, Cotonou	Ongoing multi-component project of human rights support to Benin
Bhutan	Needs assessment mission	Voluntary Fund	June/July 1995, Thimpu	Project of support for the administration of justice and reporting under human rights treaties to commence in 1996
Bolivia	Needs assessment mission	Voluntary Fund	January 1995	Projects based upon needs assessment mission pending Government request

Country/Region	Activities	Funding source	Date/Place	Notes
Burundi	Project evaluation; training programme for military; human rights media campaign, including t.v. and radio programmes; audio-visual materials, manuals, posters; human rights education series for professional groups and for youth; seminar series: peace, reconciliation and the judiciary; Youth Camp established; human rights week activities; workshop for the media; seminar for UNVs in Burundi; second workshop for the media; public information campaign on right to life; training of prison officials; workshop for adult education teachers; grants to NGOs and National Dialogue Technical Commission	Voluntary Fund	July 1995; March 1995; F.Y. 1995; F.Y. 1995 November-December 1994; November-December 1994; December 1994; January 1995; June 1995; July 1995; July 1995; July 1995; August 1995; F.Y. 1995; Bujumbura	Ongoing three-year programme of assistance, coordinated and implemented by CHR team in Bujumbura

Country/Region	Activities	Funding source	Date/Place	Notes
Cambodia	Over 100 activities since November 1994, directed to support for government offices, national institutions, legislative reform, the administration of justice, police, prisons, the military, treaty reporting, human rights education, NGOs and civil society, mass media, information and documentation, and support to the Special Representative for Human Rights in Cambodia	Trust Fund for a Human Rights Education Programme in Cambodia; United Nations regular budget	November 1994-December 1995, Phnom Penh, Siem Reap, Kampong Cham, Battambang	The Centre has operated an office in Phnom Penh since October 1993. That office has been supplemented with provincial offices in Siem Reap, Kampong Cham and Battambang. Full details of the Centre's activities during this period may be found in the report of the Secretary-General to the Commission on Human Rights (E/CN.4/1996/92), and the report of the Secretary-General to the General Assembly (A/50/681/Add.1).
Cameroon	Request for assistance in establishment of a regional documentation centre	Voluntary Fund	1995, Geneva	Request, based on resolution adopted by the Standing Advisory Committee on Security Questions in Central Africa, under consideration
China	Request for assistance to Human Rights Centre of the Institute of Law of the Academy of Social Science	Voluntary Fund	1995, Geneva	Project under formulation
Colombia	Needs assessment mission	Voluntary Fund	August 1995, Bogota	Under consideration
Costa Rica	Support for a preparatory workshop for the Decade for Human Rights Education	United Nations regular budget	F.Y. 1995	The workshop is scheduled for the first quarter of 1996

Country/Region	Activities	Funding source	Date/Place	Notes
Croatia	Request from Government received	Voluntary Fund	1995, Geneva	Possibilities for technical cooperation to be investigated in 1996
Egypt	Training course for senior law enforcement officials; second training course for senior law enforcement officials; training course for senior police trainers	United Nations regular budget	March 1995; April 1995, July 1995; Geneva	Part of ongoing programme of training to Egyptian police under which five separate courses have now been organized since 1994
El Salvador	Needs assessment mission	Voluntary Fund	May/June 1995, San Salvador	Project of support for human rights in law enforcement and for reporting under human rights treaties to commence in 1996
Equatorial Guinea	Workshop on human rights for public officials; training course for police officials ; human rights training for political parties and civil society	United Nations regular budget; Voluntary Fund	May 1995; March 1995; June 1995; Malabo	At the request of the Government and based upon recommendations of the Special Rapporteur (E/CN.4/1995/68)
Georgia	Project formulation following from needs assessment conducted in 1994	Voluntary Fund	1995, Geneva	Two-year multi-component project scheduled for 1996-1997
Guatemala	Support for the repatriation of refugees; support to Independent expert; needs assessment mission	Voluntary Fund	F.Y. 1995; F.Y. 1995; October/ November 1995; Guatemala City	Ongoing assistance following from Commission on Human Rights res. 1995/51. Further projects to follow from needs assessment mission

Country/Region	Activities	Funding source	Date/Place	Notes
Guinea	Request received for assistance in police training, revision of criminal code, and related support	Voluntary Fund	1995, Geneva	Project under preparation
Haiti	Project formulation mission	Voluntary Fund	March 1995, Port-au-Prince	Multi-component country project to be implemented commencing in 1996
Indonesia	Memorandum of understanding (MOI) signed between Government and High Commissioner for Human Rights; request from Government received	Voluntary Fund	October 1995, Geneva/Jakarta	Under the terms of the MOI, the Centre and the Government have agreed to develop a project based upon a needs assessment mission to be fielded by the Centre
Kuwait	Request received from Government	Voluntary Fund	1995, Geneva	Needs assessment mission to be fielded in March 1996
Latvia	Project formulation mission; advice to national human rights institution	United Nations regular budget; Voluntary Fund	February-March 1995; March-August 1995; Riga/Geneva	Project to strengthen capacities of the Latvian Human Rights Office to commence in 1996
Lesotho	Request from Government following from earlier assistance provided by the Centre	Voluntary Fund	1995, Geneva	Needs assessment mission to be fielded in first quarter of 1996

Country/Region	Activities	Funding source	Date/Place	Notes
Malawi	Drafting of national plan of action; support to NGOs; distribution of human rights documentation; draft law on NGOs; National Constitutional Conference; publication of the "Guide to Human Rights Standards in Force in Malawi"; draft code of ethics for the media; advice on the Law Commission; advice on the Human Rights Commission; advice on the Ombudsman; information on violence against women; advice on establishment and rules of procedure of National Compensation Tribunal	United Nations regular budget; Voluntary Fund	November-December 1994; January 1995; January- July 1995 July 1995; February 1995; January 1995; April-March 1995; January-August 1995; January-August 1995; January-August 1995; August 1995; July-August 1995; Lilongwe and Blantyre	Ongoing assistance for democratization, human rights and the rule of law since 1992. CHR office operating in Lilongwe. New project approved for 1996-97 will provide additional advice, training and support to Government, human rights institutions, and civil society.
Malta	Support to the International Seminar on Human Rights	United Nations regular budget (staff participation and documentation)	May 1995, Valetta	At the request of the Government of Malta
Mexico	Request from Government for police training in human rights	Voluntary Fund	1995, Geneva	Training to be provided, pending agreement on modalities with Government

Country/Region	Activities	Funding source	Date/Place	Notes
Mongolia	Training course for judges and lawyers on human rights in the administration of justice; training course for senior police officials; training course for police trainers; training course for national NGOs	Voluntary Fund	February 1995; May 1995; June 1995; December 1995; Ulaanbaatar	Continuing multi-component country project; the Centre opened an office in Ulaanbaatar in November 1995 to coordinate the continued implementation of the project in 1996-1997.
Morocco	Needs assessment mission; (b) project formulation mission	Voluntary Fund	January 1995; May 1995; Rabat	Project under preparation for support to documentation centre and promotional activities
Namibia	Request for follow-up support to human rights documentation centre	Voluntary Fund	1995, Geneva	Request follows from earlier support provided by the Centre to the documentation centre
Nepal	Needs assessment mission	Voluntary Fund	June/July 1995, Katmandu	Multi-component project of support to national institutions and civil society to commence in 1996
Pakistan	Request received from Government	Voluntary Fund	1995, Geneva	Needs assessment to be fielded in first quarter of 1996 subject to approval by the Government
Palestine	Needs assessment mission; inter-agency consultations; project formulation	Voluntary Fund	June 1995; June 1995; July-September 1995; West Bank and Gaza; Geneva	Two-year multi-component project of support for the rule of law to be implemented by project team of the Centre in Gaza commencing in 1996

Country/Region	Activities	Funding source	Date/Place	Notes
Panama	Needs assessment mission on: establishment of national institutions	Voluntary Fund	November 1995, Panama	Modalities under discussion with Government for assistance in 1996
Papua New Guinea	Needs assessment mission	Voluntary Fund	May/June 1995	Assistance for the establishment of a national institution to commence with project mission in January 1996
Paraguay	Needs assessment mission; support for the development of a national plan of action; seminar on human rights needs with national NGOs; mission to advise on a national plan of action	Voluntary Fund	April 1995; March 1995; August 1995; December 1995; Ascuncion	Part of ongoing project since 1991
Poland	Support to national NGOs and human rights institutes	Voluntary Fund	F.Y. 1995, Warsaw	Ongoing project of support
Republic of Moldova	Needs assessment mission	Voluntary Fund	January 1995	18-month project of support for establishment of national human rights institution to commence in 1996
Romania	Project evaluation	Voluntary Fund	February 1995, Bucharest/Geneva	At conclusion of five-year country project

Country/Region	Activities	Funding source	Date/Place	Notes
Rwanda	Workshops on human rights of women; peace and reconciliation awards; military needs assessment mission; "one orphan-one family" campaign for traumatized children; mass media workshop on Freedom of the press, and other promotional activities	Voluntary Fund	February and August 1995; postponed; May 1995; June 1995; June 1995; Kigali	All activities conducted through the Technical Cooperation Unit (TCU) of the Human Rights Field Operation in Rwanda (HRFOR), established by the High Commissioner in response to the genocide. Activities will continue through 1996.
Sao Tome and Principe	Support to prison library; support to legal library; consultative mission; workshop on human rights in the administration of justice for legal professionals; regional seminar on juvenile justice support for participation); fellowship on documentation, informatics and information handling	Voluntary Fund	F.Y. 1995; F.Y. 1995; November 1994; November 1995; February 1995; November 1995, Sao Tome	This ongoing, multi-component project will continue, and conclude, in 1996
Slovakia	Support for the establishment of a national human rights centre	Voluntary Fund	F.Y. 1995, Bratislava	Two-year project of support since 1994
Somalia	Request by Commission on Human Rights (res. 1995/56) and UNDP Nairobi for assistance to police and judiciary	Voluntary Fund	1995, Geneva	Discussions with Independent expert continuing

Country/Region	Activities	Funding source	Date/Place	Notes
South Africa	Needs assessment mission; workshop on the development of a plan of action for the establishment of a Human Rights Resource and Documentation Centre at the University of Fort Hare	Voluntary Fund	March/April 1995; March 1995	Project under formulation for 1996. A needs assessment mission is planned for the first quarter of 1996
The former Yugoslav Republic of Macedonia	Training course for police commanders; training course for police trainers	United Nations regular budget	January 1995, Skopje	Based upon the Centre's police training programme and forthcoming manual
Togo	(a)Needs assessment mission; (b) training programme for public officials	Voluntary Fund	(a) March 1995; (b) May 1995; Lome	Multi-component project in support of democratic culture and the rule of law to commence in 1996
United Rep. of Tanzania	Needs assessment mission; (b) follow-up consultation and project formulation mission	Voluntary Fund	October 1994; May 1995; United Rep. of Tanzania	Project to follow for 1996, with particular focus on the administration of justice
Viet Nam	Request from Government; recommendation of Committee on Rights of the Child	Voluntary Fund	1995, Geneva	Centre has offered to field a mission to develop a project of support for juvenile justice training for police officials

Country/Region	Activities	Funding source	Date/Place	Notes
Global: peace-keeping support	Inter-agency workshop on human rights monitoring in the former Yugoslavia; Training programme for civilian police officers serving with United Nations Peace Forces (UNPF); training programme for civil affairs officers serving with UNPF; joint workshop for peace-keepers in UNPF; development of manual on human rights monitoring	United Nations regular budget; cost sharing with UNPF, Zagreb	February 1995; July 1995; July 1995; July 1995; 1995; Zagreb	Comprehensive programme on human rights monitoring in cooperation with the United Nations Protection Force (UNPROFOR), the United Nations Preventive Deployment in Macedonia (UNPREDEP) and the United Nations Confidence Restoration Operation in Croatia (UNCRO), Manual to be issued in first half of 1996
Global: indigenous populations	Development of a manual on self-governance for indigenous peoples	Voluntary Fund	F.Y. 1995	Drafting of manual completed; to be released in 1996
Global: national institutions	Follow-up to the second international workshop on national institutions; convening of third workshop; appointment of resident expert	Voluntary Fund	Third international workshop held at Manila, April 1995; resident expert/adviser posted at Geneva since August 1995	As endorsed by Commission on Human Rights resolution 1995/50

Country/Region	Activities	Funding source	Date/Place	Notes
Global: annual fellowship programme	The theme of the 1995 fellowship programme was "reporting under international human rights treaties" . The 19-day programme was comprised of intensive training, workshops and practical activities, based upon the Centre's published training package.	United Nations regular budget (19 participants); Voluntary Fund (6 participants)	2-3 November 1995, Centre for Human Rights, Geneva ; 1-30 October/4-17 November 1995; ILO Training Centre, Turin	The 25 1995 participants were from Armenia, the Bahamas, Bhutan, China, Cuba, Georgia, Indonesia, Israel, the Lao Peoples' Dem. Rep., Myanmar, Nepal, Panama, Papua New Guinea, the Russian Federation, Sierra Leone, South Africa, Suriname, Uganda and Viet Nam
Global: development of programme for armed forces	Preparation of manual, trainers guide, and pocket booklet	Voluntary Fund; United Nations regular budget	1995, Geneva	Ongoing programme development initiative of the Centre
Global: support for NGOs	Preparation of a manual for national human rights NGOs	Voluntary Fund; United Nations regular budget	1995, Geneva	Ongoing programme development initiative of the Centre
Global: development of programme for judges and lawyers	Preparation of a manual on human rights in the administration of justice	Voluntary Fund; United Nations regular budget	1995, Geneva	Ongoing programme development initiative of the Centre
Global: development of programme for prison officials	Preparation of a manual on human rights in prisons	Voluntary Fund; United Nations regular budget	1995, Geneva	Ongoing programme development initiative of the Centre
Global: development of programme for primary and secondary school teachers	Preparation of a manual on human rights education in primary and secondary schools	Voluntary Fund; United Nations regular budget	1995, Geneva	Ongoing programme development initiative of the Centre

Country/Region	Activities	Funding source	Date/Place	Notes
Global: development of programme for human rights monitors	Preparation of a field guide for human rights monitors	Voluntary Fund; United Nations regular budget	1995, Geneva	Ongoing programme development initiative of the Centre
Global: United Nations Decade for Human Rights Education	General Assembly res. 49/184; preparations for implementation of the plan of action	Voluntary Fund	1995, Geneva	Project of support has been prepared; and will commence in 1996
Global: meetings of the Board of Trustees of the United Nations Voluntary Fund for Technical Cooperation in the Field of Human Rights	Support to the Board of the Voluntary Fund	Voluntary Fund	March 1995; November 1995; Geneva	The Board will meet twice in 1996
Training of Centre staff in technical cooperation project management	Two staff training workshops with the ILO Training Centre on "management of the project cycle"	Voluntary Fund	December 1994; September 1995; Turin and Geneva	Part of ongoing effort to strengthen project management
Interregional: Lusophone Africa and CIS countries	Project formulation	Voluntary Fund	1995, Geneva/Turin	Interregional training programme on human rights for heads of military academies to be held in Turin in 1996
Interregional: Africa and the Middle East	Project formulation	Voluntary Fund	1995, Geneva	Support for human rights information handling and networking capacities of human rights organizations in Africa and the Middle East to commence in 1996 in cooperation with HURIDOCS

Country/Region	Activities	Funding source	Date/Place	Notes
Regional: Arab region	Support to the Arab Institute for Human Rights	Voluntary Fund	F.Y. 1995, Tunis	Ongoing support since 1992
Regional: Latin America (Central America)	Improvement of Central American prison systems (feasibility study)	Voluntary Fund	Regional feasibility study conducted in November 1995	Project under formulation based upon recommendations of High Commissioner following his visit to the region in June 1995
Regional: Asia	Project formulation	Voluntary Fund	1995, Geneva	Project of support for strengthening of human rights information handling and networking capacities of human rights organizations in Asia to commence in 1996, in cooperation with HURIDOCS
Regional: Asia and the Pacific	Asia-Pacific consultation on human rights education; regional dissemination of manual for social workers	Voluntary Fund	January 1995-February 1995, Manilla	Project supporting the role of social workers in human development
Regional: Africa	Project formulation	Voluntary Fund	1995, Geneva	Regional training in human rights for heads of military academies to be held in 1996 in Addis Ababa

Country/Region	Activities	Funding source	Date/Place	Notes
Regional: Africa	Project formulation	United Nations regular budget	1995, Geneva	Joint regional training programme on human rights for primary and secondary school teachers to be implemented in cooperation with the Centre international de la formation à l'enseignement des droits de l'homme et de la paix (CIFEDHOP) in 1996
Regional: Africa	Support to the African Commission on Human and People's Rights	Voluntary Fund	F.Y. 1995, Banjul	Ongoing project of assistance since 1991

Annex II

VOLUNTARY FUND FOR TECHNICAL COOPERATION
IN THE FIELD OF HUMAN RIGHTS

Annual balance sheet as of 31 December 1995 (US dollars)*
(working paper for programming purposes)

1. Income	
Pledges and contributions received in 1995	8 278 114
Interest income	470 479
Gains on currency exchange	112 815
Total income	8 861 408
2. Expenditure	
Unliquidated obligations and disbursement	3 378 998
Programme support costs	439 270
Total expenditure	3 818 268
3. Programming resources accumulated as of 31 December 1995 (1-2)	5 043 140
Fund balance as of 1 January 1995 (Funds accumulated as of 31/12/94)	3 426 903
4. Total programming resources	8 470 043
5. Total budgetary requirements	
Ongoing projects (Financial requirements to carry out ongoing project activities as from 31 January 1996)	5 762 000
Pipeline projects (Total budget of project proposals endorsed by the Board of Trustees)	7 915 500
6. Funding requirements (5-4)	5 207 457

* This balance sheet has been prepared by the Centre for Human Rights. As such, it should not be considered a United Nations financial document. The sources of information are the Quarterly Status Report on Contributions to the Voluntary Fund for Technical Cooperation as of 31 December 1995, the Statements of Income and Expenditure as of 31 December 1994 and 31 December 1995, as well as the Allotment Report as of 31 December 1995, the latter two of which are issued by the Accounts Section of the United Nations Office at Geneva. The figures given under item 5 are estimates based upon the relevant project budgets.

Annex III

UNITED NATIONS VOLUNTARY FUND FOR TECHNICAL COOPERATION IN THE FIELD OF HUMAN RIGHTS
YEARLY CONTRIBUTIONS AS OF 31 DECEMBER 1995 (IN US$)

Government	1987 & 1988	1989	1990	1991	1992	1993	1994	1995	Total paid by country	Outstanding pledge	Total paid + pledged
Australia	-	8 815	-	15 601	-	13 480	234 300	802 446	1 074 642	-	1 074 642
Austria	10 000	10 000	-	20 000	20 000	20 000	20 000	19 982	119 982	-	119 982
Belgium	-	-	-	-	-	399 793	93 559	830 593	1 323 945	-	1 323 945
Cameroon	-	-	-	-	-	1 811	-	-	1 811	-	1 811
Canada	113 636	-	-	-	-	-	-	72 632	186 268	-	186 268
Colombia	-	-	-	10 000	10 000	10 000	10 000	10 000	50 000	-	50 000
Cyprus	-	-	-	-	-	-	-	500	500	-	500
Denmark	-	-	108 493	264 492	51 640	218 665	-	354 600	997 890	-	997 890
Finland	12 195	71 288	135 160	695 574	-	186 350	-	231 072	1 331 639	227 231	1 558 870
France	-	80 386	209 959	342 894	103 373	127 273	117 100	356 545	1 337 530	28 854	1 366 384
Germany	24 054	21 755	23 557	23 454	26 931	71 411	171 454	144 927	507 543	-	507 543
Greece	-	-	-	5 000	5 000	5 000	5 000	6 000	26 000	-	26 000
Hungary	-	2 500	2 500	-	2 485	-	-	-	7 485	-	7 485
Indonesia	-	-	-	-	-	16 000	-	-	16 000	-	16 000
Ireland	-	-	-	3 572	5 815	14 805	45 120	222 395	291 707	-	291 707
Italy	50 000	19 985	257 585	133 543	634 921	193 065	123 333	125 133	1 537 565	-	1 537 565

Annex III (continued)

Government	1987 & 1988	1989	1990	1991	1992	1993	1994	1995	Total paid by country	Outstanding pledge	Total paid + pledged
Japan	-	50 000	-	100 000	-	100 000	100 000	500 000	850 000	-	850 000
Luxembourg	-	-	-	-	5 934	6 050	141 571	149 200	302 755	-	302 755
Netherlands	46 713	50 652	60 676	-	-	-	282 638	206 940	647 619	167 100	814 719
New Zealand	10 432	9 392	9 432	9 427	41 225	-	21 442	19 823	121 173	-	121 173
Norway	157 356	-	160 456	253 008	-	376 845	50 350	785 000	1 783 015	725 000	2 508 015
Panama	-	-	1 000	1 000	1 000	1 000	1 000	2 000	7 000	-	7 000
Portugal	-	-	-	10 000	-	-	-	-	10 000	-	10 000
Rep. of Korea	-	-	-	-	-	-	100 000	50 000	150 000	50 000	200 000
Sweden	334 616	-	31 543	839 866	100 634	487 954	-	764 365	2 558 978	-	2 558 978
Switzerland	-	-	36 424	41 059	59 626	63 509	291 531	187 414	679 563	633	680 196
Togo	-	-	-	-	-	-	-	-	0	1 832	1 832
United Kingdom	34 820	-	65 460	57 370	-	52 923	-	212 729	423 302	-	423 302
United States	-	-	-	-	-	-	198 000	1 025 000	1 223 000	-	1 223 000
Uruguay	-	1 000	-	-	-	-	-	-	1 000	-	1 000
Subtotals	793 822	325 773	1 102 245	2 825 860	1 068 584	2 365 934	2 006 398	7 079 296	17 567 912	1 200 650	18 768 562

Annex III (concluded)

Non-governmental organizations	1987 & 1988	1989	1990	1991	1992	1993	1994	1995	Total paid by organization	Outstanding pledge	Total paid + pledged
Fond.cult. islamique	5 282	-	-	-	-	-	-	-	5 282	-	5 282
Minnesota Lawyers Int. H.R. Committee	100	-	-	-	-	-	-	-	100	-	100
Peace Prize to UN Centre for Human Rights	-	4 269	-	-	-	-	-	-	4 269	-	4 269
World Blind Union	-	-	-	-	-	-	-	-	0	1 000	1 000
Others											
Sale of UN Human Rights Watches	-	15 814	8 853	-	-	8 000	-	-	32 667		32 667
K. Winckler Trust	-	-	-	73 969	-	-	-	-	73 969	-	73 969
Japan Fed. Bar Associations	-	-	-	43 595	-	-	-	-	43 595	-	43 595
Subtotals	5 382	20 083	8 853	117 564	0	8 000	0	0	159 882	1 000	160 882
Grand totals	799 204	345 856	1 111 098	2 943 424	1 068 584	2 373 934	2 006 398	7 079 296	17 727 794	1 201 650	18 929 444